ACTS AND STATUTES,

MADE

In a PARLIAMENT begun at *Dublin*, the Twenty Eighth Day of *November*, *Anno Domini* 1727, in the First Year of the Reign of Our Most Gracious Sovereign LORD, KING *GEORGE* II.

BEFORE

His Excellency *John* Lord *Carteret*, Lord Lieutenant General, and General Governor of *Ireland*.

And continued under His Excellency *John* Lord *Carteret*, by ſeveral Prorogations, until the Twenty Third Day of *September*, 1729.

And further continued under His Grace *Lionel* Duke of *Dorſet*, Lord Lieutenant General, and General Governor of *Ireland*, by ſeveral Prorogations, until the Fifth Day of *October*, 1731.

And further continued under His Grace *Lionel* Duke of *Dorſet*, by ſeveral Prorogations, until the Fifth Day of *October*, 1733.

And further continued under His Grace *Lionel* Duke of *Dorſet*, by ſeveral Prorogations, until the Seventh Day of *October*, 1735.

And further continued under His Grace *William* Duke of *Devonſhire*, Lord Lieutenant General, and General Governor of *Ireland*, by ſeveral Prorogations, until the Fourth Day of *October*, 1737.

And further continued under His Grace *William* Duke of *Devonſhire*, by ſeveral Prorogations, until the Ninth Day of *October*, 1739.

And further continued under His Grace *William* Duke of *Devonſhire*, by ſeveral Prorogations, until the Sixth Day of *October*, 1741.

And further continued under His Grace *William* Duke of *Devonſhire*, by ſeveral Prorogations, until the Fourth Day of *October*, 1743.

And further continued under His Excellency *Philip* Earl of *Cheſterfield*, Lord Lieutenant General, and General Governor of *Ireland*, by ſeveral Prorogations, until the Eighth Day of *October*, 1745.

And further continued under His Excellency *William* Earl of *Harrington*, Lord Lieutenant General, and General Governor of *Ireland*, by ſeveral Prorogations, until the Sixth Day of *October*, 1747.

And further continued under His Excellency *William* Earl of *Harrington*, by ſeveral Prorogations, until the Tenth Day of *October*, 1749.

And further continued under His Grace *Lionel* Duke of *Dorſet*, Lord Lieutenant General, and General Governor of *Ireland*, by ſeveral Prorogations, until the Eighth Day of *October*, 1751.

And further continued under His Grace *Lionel* Duke of *Dorſet*, by ſeveral Prorogations, until the Ninth Day of *October*, 1753.

And further continued under His Excellency *William* Marquis of *Hartington*, Lord Lieutenant General, and General Governor of *Ireland*, by ſeveral Prorogations, until the Seventh Day of *October*, 1755. Being the Fifteenth Seſſion of this preſent PARLIAMENT.

DUBLIN:

Printed by the Executor of *George Abraham Grierſon*, Printer to the King's Moſt Excellent Majeſty, at the *King's Arms* and *Two Bibles* in *Eſſex-Street*.

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CHAP. I.

AN

ACT

For Granting and Continuing to

HIS MAJESTY,

AN

ADDITIONAL DUTY

ON

Beer, Ale, Strong-Waters, Wine, Tobacco, Hides, and other Goods and Merchandizes, therein Mentioned; And for prohibiting the Importation of all Gold and Silver Lace, except of the Manufacture of *Great Britain*.

G. II. R.

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Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Most Excellent Majesty, at the *King's-Arms* and *Two Bibles* in *Essex-Street*. M.DCC.LVI.

CHAP.
I.

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Beer, Ale, Strong-Waters, Wine, Tobacco, Hides, and other Goods and Merchandizes therein Mentioned; And for prohibiting the Importation of all Gold and Silver Lace, except of the Manufacture of Great Britain.

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CHAP. I.

AN ACT FOR

Granting and Continuing to His Majesty, an Additional Duty on Beer, Ale, Strong-Waters, Wine, Tobacco, Hides, and other Goods and Merchandizes therein Mentioned; And for Prohibiting the Importation of all Gold and Silver Lace, except of the Manufacture of *Great-Britain*.

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WE Your Majesty's most Dutiful and Loyal Subjects, The Commons of Ireland, in Parliament Assembled, having a just Sense of Your Royal Care for the Prosperity of all Your Subjects, and well knowing that the Security of this Your Realm, and the Continuance of the many Blessings We Enjoy under Your Mild and Auspicious Reign, Depend on the Support of Your Majesty's Government, Do most humbly beseech Your Majesty that it may be Enacted;

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And be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That the several and respective Duties and Impositions on Beer, Ale, Strong-Waters, Wine, Tobacco, and other Goods and Merchandizes, which, in and by an Act of Parliament, Made and Passed in the First Year of Your Majesty's Reign [**Intituled,** An Act for Granting to His Majesty, an Additional Duty on Beer, Ale, Strong-Waters, Wine, Tobacco, and other Goods and Merchandizes, therein mentioned; And also, a Tax on Salaries, Profits of Employments, Fees, and Pensions; And for securing the Re-payment of Fifty Thousand Pounds *Sterling*, formerly advanced to His late Majesty for the Use of the Publick, together with the Interest thereof] **were Granted unto Your Majesty, or Chargeable in Manner therein Mentioned, from the Twenty fifth Day of** March, **One thousand seven hundred and twenty eight, to the Twenty fifth Day of** December, **One thousand seven hundred and twenty nine, inclusive; And which, by one other Act, Made and passed in the Third Year of Your Majesty's Reign** [**Intituled,** An Act for Granting and Continuing to His Majesty an additional Duty on Beer, Ale, Strong-Waters, Wine, Tobacco, and other Goods and Merchandizes, therein Mentioned] **were**

Continued

Continued until the Twenty fifth Day of December, in the Year of Our Lord One thouſand ſeven hundred and thirty one, inclusive; And which were further Granted and Continued from Time to Time by ſubſequent Acts of Parliament made in this Kingdom, until the twenty fifth Day of December, in the Year of Our Lord, One thouſand ſeven hundred and fifty five, inclusive; Be further Granted, Continued, Raiſed, Collected, Levied and paid unto Your Majeſty, Your Heirs and Succeſſors, from the Twenty fifth Day of December, One thouſand ſeven hundred and fifty five, until the Twenty fifth Day of December, One thouſand ſeven hundred and fifty ſeven, inclusive. CHAP. I.

And be it further Enacted by the Authority aforeſaid, That all and Singular the ſaid Duties hereby Granted and Continued, ſhall be Raiſed, Levied, Collected and paid unto Your Majeſty, Your Heirs and Succeſſors, during the Term aforeſaid, over and above all other Duties payable for the ſame, by Virtue of an Act made in this Kingdom, in the Fourteenth Year of the Reign of King Charles the Second, Intituled, An Act for the Settling of the Exciſe or new Impoſt, upon His Majeſty, His Heirs and Succeſſors, according to the Book of Rates, therein inſerted; or by Virtue of one other Act, made in the Fourteenth Year of the Reign of the ſaid King Charles the

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Second, Intituled, An Act for settling the Subsidy of Poundage, and Granting a Subsidy of Tunnage, and other Sums of Money, unto His Royal Majesty, His Heirs and Successors, the same to be paid upon Merchandizes Imported and Exported into or out of the Kingdom of *Ireland*, according to a Book of Rates hereunto annexed.

Provided allways, and be it further Enacted by the Authority aforesaid, That if the said Wines, Strong-Waters, Spirits perfectly Made, and Spirits Made and Distilled of Wine and Brandy, or Spirits above Proof, upon which the said Additional Duties are Charged, shall, after Payment thereof, or Security Given for the same, be again Exported by any Merchant or Merchants, That is, or are, a Subject or Subjects of this Realm, or any other His Majesty's Dominions, within Eighteen Kalendar Months, or by Merchant Strangers, within Twelve Kalendar Months after the Importation thereof, and due Proof first Made by Certificate from the Proper Officer of the due Entry of such Wines, Strong Waters, Spirits perfectly Made, and Spirits made and Distilled of Wine, Brandy or Spirits above Proof, and of the Payment of the said Additional Duties hereby Granted and Charged thereon, or Security being given for the same, and that all other Requisites have been performed, which are by Law Required to

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be perfoꝛmed, in Caſes where the Duties of Exciſe are to be Repaid, by Vertue of the before-mentioned Act (Intituled, An Act for the Settling of the Exciſe or New Impoſt, upon His Majeſty, His Heirs and Succeſſors, according to the Book of Rates, therein Inſerted) That then the ſaid Additional Duties, ſhall, without any Delay oꝛ Reward, be paid oꝛ Allowed unto ſuch Merchant oꝛ Merchants, ſo Expoꝛting the ſame, within One Month after Demand thereof, oꝛ the Security foꝛ the ſaid Additional Duties, by this Act Charged, ſhall be Vacated oꝛ Diſcharged as to ſo much thereof as ſhall be ſo Expoꝛted; Any Thing herein contained to the contrary notwithſtanding.

And be it further Enacted by the Authoꝛity afoꝛeſaid, That foꝛ the better Levying and Collecting the ſeveral Rates and Duties hereby Granted, all and every the Rules, Directions, Powers and Authoꝛities, Clauſe and Clauſes, Relating to Brewers mixing their Beer and Ale, and Diſtillers Diſtilling of Strong-Waters, and foꝛ preventing the mixing of Small Wines with Strong Ale, oꝛ Beer, after the Gauger hath Taken the Gauge thereof, and foꝛ Impowering Gaugers to take an Account of all Waſh and Lees Wines in Diſtillers Hands, the better to aſcertain the Quantity of Aquavitæ, Strong-Waters,

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and Spirits by them Distilled, and all Penalties and Forfeitures arising thereby and therefrom, Given, Granted or Enacted in and by an Act passed in the Fourth Year of the Reign of His Late Majesty King George the First, of Glorious Memory, Intituled, An Act for Continuing to His Majesty an additional Duty on all Wines and Strong-Waters, and Spirits perfectly Made, and upon all Spirits made and Distilled of Wine; And also a Tax on all Salaries, Profits of Employments, Fees and Pensions, therein mentioned; And for Granting a farther Additional Duty on Ale, Beer and Strong-Waters, and Spirits Perfectly Made, and upon all Spirits Made and Distilled of Wine; And for Securing the Re-payment of Fifty Thousand Pounds *Sterling*, formerly Advanced to His Majesty for the Use of the Publick, together with the Interest thereof, Which were to Continue from the Twenty first Day of November, One thousand seven hundred and seventeen, until the Twenty first Day of November, One thousand seven hundred and nineteen, inclusive; And which were further Granted and Continued from Time to Time, by Divers Acts of Parliament made in this Kingdom until the Twenty fifty Day of December, One thousand seven hundred and fifty five, inclusive, shall be, and Continue in full Force from the said Twenty fifth Day of December, One thousand seven hundred and fifty five, until the Twenty fifth Day of December,

ber, which will be in the Year of Our Lord One thouſand ſeven hundred and fifty ſeven, inclusive. CHAP. L

And be it further Enacted by the Authority aforeſaid, That for a further Supply to Your Majeſty, the further Additional Duty of Twenty Shillings Sterling, on every hundred Weight of Molaſſes, and the further Additional Duty of Twenty Shillings Sterling, on every hundred Weight of Treacle, which, in and by the ſaid Act of Parliament, Made in the firſt Year of Your Majeſty's Reign, were Granted unto Your Majeſty from the Twenty fifth Day of March, which was in the Year of Our Lord One thouſand ſeven hundred and Twenty eight, until the Twenty fifth Day of December, One thouſand ſeven hundred and Twenty nine, inclusive; And which were further Granted and continued unto Your Majeſty, from Time to Time by other Acts of Parliament, made in this Kingdom from the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and Twenty nine, until the Twenty fifth Day of December, One thouſand ſeven hundred and fifty five, inclusive, Be further Granted, Continued, Collected, Levied, and Paid unto Your Majeſty, Your Heirs and Succeſſors, from the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and fifty five, until the Twenty fifth Day of

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December, One thousand seven hundred and fifty seven, inclusive.

And be it further Enacted by the Authority aforesaid, that for a further Supply to Your Majesty, an Additional Duty of Six Pence per Yard for and upon all foreign Stuffs, Called Romalls, and all Manufactures made of Cotton, or of Cotton and Linen Mixed, whether Plain, Painted or Stained, which shall be Imported into this Kingdom from any Parts abroad, Except the Manufactures of Great Britain; And also an Additional Duty of Six Pence per Yard, over and above the Present Duties, for all Cambricks not of the Manufacture of Great Britain, which shall be Imported into this Kingdom, Exceeding a Yard Wide; shall be Raised, Levied, Collected, and Paid unto Your Majesty, Your Heirs and Successors, from the Twenty fifth Day of December, One thousand seven hundred and Fifty five, to the Twenty fifth Day of December, One thousand seven hundred and Fifty seven, inclusive.

And be it further Enacted by the Authority aforesaid, That a further Additional Duty of Three Pence per Yard, upon all Cambricks and Lawns, other than such as are of the Manufacture of Great Britain, which shall be Imported into this Kingdom, from and after the Twenty fifth Day

of

of December, One thouſand ſeven hundred and Fifty five, ſhall be Raiſed, Levied, Collected, and paid to Your Majeſty, Your Heirs and Succeſſors, from the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and Fifty five, to the Twenty fifth Day of December, One thouſand ſeven hundred and fifty ſeven, incluſive, over and above all other Duties payable for the ſame.

And be it further Enacted by the Authority aforeſaid, That a further Additional Duty of One Penny per Yard, upon all Cambricks and Lawns, other than ſuch as are of the Manufacture of Great Britain, which ſhall be Imported into this Kingdom, from and after the Twenty fifth Day of December, One thouſand ſeven hundred and fifty five, ſhall be Raiſed, Levied, Collected, and paid to Your Majeſty, Your Heirs and Succeſſors, from the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and fifty five, to the Twenty fifth Day of December, One thouſand ſeven hundred and fifty ſeven, incluſive, over and above all other Duties payable for the ſame.

And be it further Enacted by the Authority aforeſaid, That for a further Supply to Your Majeſty, an Additional Duty of Six Pence per Hide, for and upon every raiſh and untanned Hide, which ſhall be Ex-

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ported out of this Kingdom, to Parts beyond the Seas, except Great Britain, shall be Raised, Levied, Collected and Paid unto Your Majesty, Your Heirs and Successors, from the Twenty fifth Day of December, One thousand seven hundred and fifty five, to the Twenty fifth Day of December, One thousand seven hundred and fifty seven, inclusive.

And be it further Enacted by the Authority aforesaid, That a Duty of Forty Shillings per Pound Weight, for and upon all Velvets, and all Manufactures made of, or mixed with Silk, except the Manufactures of Great Britain, China, Persia, and the East Indies; which shall be Imported into this Kingdom, from and after the Twenty fifth Day of December, One thousand seven hundred and fifty five, shall be Raised, Levied, Collected, and Paid, to Your Majesty, Your Heirs and Successors, from the said Twenty fifth Day of December, One thousand seven hundred and fifty five, to the Twenty fifth Day of December, One thousand seven hundred and fifty seven, inclusive.

And be it further Enacted by the Authority aforesaid, That the Additional Rates and Duties on Coffee, Tea, Chocolate and Cocoa-Nuts, Granted by the said Act in the First Year of Your Majesty's Reign, and Continued as aforesaid, and

and all Money arising thereby, shall be paid to the Trustees appointed for the Management of the Hempen and Flaxen Manufactures of this Kingdom, to be by them Applied to Encourage and Support the said Manufactures, and the Trade thereof in this Kingdom, and that the said Additional Duties on Raw and Untanned Hides, and all Money Arising thereby, shall be paid to the said Trustees, to be by them Applied towards Encouraging the Raising of Flax-Seed in this Kingdom; And that the said further Additional Duty of One Penny per Yard upon all Cambricks and Lawns, and all Money Arising thereby, shall be paid and Applied to the Use of the Governor and Company for Carrying on the Cambrick Manufactury in Dundalk, or elsewhere in this Kingdom. CHAP. I.

And be it further Enacted by the Authority aforesaid, That all and every the several and respective Additional Duties hereby Granted or Continued, shall be Raised, Answered, Collected, and paid unto Your Majesty, Your Heirs and Successors, during the Term aforesaid, at the same Time, and in like Manner, and by such Ways, Means and Methods, and by such Rules and Directions, and under such Penalties and Forfeitures, and with such Powers, as are Appointed, Directed and Expressed in and by the said Act, Made in

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this Kingdom in the Fourteenth Year of the Reign of King Charles the Second [Intituled, An Act for the Settling of the Excise, or New Impost upon His Majesty, His Heirs and Successors, according to the Book of Rates, therein inserted] or by any other Law now in Force, Relating to the Revenue of Excise in this Kingdom, as fully and effectually, to all intents and purposes, as if the same were particularly mentioned, Expressed and Enacted again in the Body of this Present Act; With like Remedy of Appeal to and for the Party grieved, as in and by the said Acts of Excise, or any other Law or Laws now in being, Relating to the Duties of Excise, is Provided.

And be it further Enacted by the Authority aforesaid, That the Six Pence per Pound, and all other Fees which shall or may be payable to the Vice-Treasurer or Vice-Treasurers, Pay-master or Receiver-General, for, or on Account of, or out of the Aids hereby Granted unto Your Majesty, other than and Except such part thereof, as is herein after Appointed to be paid to the Trustees of the Hempen and Flaxen Manufactures of this Kingdom, shall be Received by the said Vice-Treasurer or Vice-Treasurers, Receiver or Pay-Master General, for the Use of Your Majesty, Your Heirs and Successors, during the Term aforesaid; And shall be duly Accounted for by him or them, to Your Majesty,

Majeſty, Your Heirs and Succeſſors, as a further and Additional Aid hereby Given and Granted. CHAP. II

And be it further Enacted by the Authority aforeſaid, That the ſeveral Sums herein after mentioned, be Paid out of the aforeſaid Additional Duties and Aids Granted and Continued to Your Majeſty by this preſent Act, to the Perſons herein after mentioned, that is to ſay, The Sum of Two thouſand Pounds per Annum for Two Years from the Twenty fifth Day of December, One thouſand ſeven hundred and Fifty five, to the Twenty fifth Day of December, One thouſand ſeven hundred and Fifty ſeven, inclusive, to the Truſtees, Appointed for the Management of the Hempen and Flaxen Manufactures of this Kingdom, for Encouraging and Raiſing of ſufficient Quantities of Hemp and Flax in this Kingdom; And alſo the further Sum of Two thouſand Pounds per Annum, for Two Years from the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and Fifty five, to the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and Fifty ſeven, inclusive, to the ſaid Truſtees Appointed for the Management of the Hempen and Flaxen Manufactures of this Kingdom, for the further Encouragement of the ſaid Hempen and Flaxen Manufactures in the Provinces of

CHAP. I.

Leinſter, Munſter and Connaught, Freed and Diſcharged from the Payment of Six Pence per Pound, and all other Fees which ſhall or may be Payable to the Vice-Treaſurer, Receiver, or Pay-Maſter-General of this Kingdom, Clerk of the Pells, or any other Officer or Officers of this Kingdom; Alſo the Sum of Three hundred Pounds Sterling, to Agmondiſham and George Veſey, Eſquires, Accomptant-General, as a Reward for their Expence and Trouble in Preparing and Stating the Publick Accounts of the Nation, Laid before the Houſe of Commons this Seſſion of Parliament; Alſo the Sum of five hundred Pounds to Edward Sterling, and Henry Alcock, Eſquires, Clerks of the Houſe of Commons, as a Reward for their Attendance and Service this Seſſion of Parliament; Alſo the Sum of Two hundred Pounds to Anthony Sterling, Clerk-Aſſiſtant, as a Reward for his Attendance and Service this Seſſion of Parliament; Alſo the Sum of Four hundred and Twenty ſix Pounds Thirteen Shillings and four Pence Sterling, to Edward Brereton, Eſquire, Serjeant at Arms, as a Reward for his Attendance and Service this Seſſion of Parliament; Alſo the Sum of Two hundred and fifty Pounds to Boyle Browne, and Benjamin Higgins, the Clerks attending the Committee of Accompts, and other Committees, as a Reward for their Attendance and Service this Seſſion of Parliament, to be

CHAP. I.

be equally Divided between them; The Sum of One hundred and twelve pounds to Abraham Bradley, for Printing the Publick Accompts laid before the House of Commons this Sessions of Parliament; The Sum of fifty pounds to Hulton Bradley, as a Reward for his Trouble and Attendance in Delivering the Votes to the Members of the House of Commons this Session of Parliament; The Sum of Eighty Pounds to James Savage and Simon Green, Door-Keepers of the House of Commons, as a Reward for their Attendance and Service this Session of Parliament, to be Equally Divided between them; Also the Sum of Ten thousand pounds to the Corporation for Promoting and Carrying on the Inland Navigation in Ireland, for making the River Nore Navigable from the City of Kilkenny to the Town of Enisteage, in the County of Kilkenny, to be by them accounted for to Parliament; the Sum of Twenty thousand Pounds to the Corporation for promoting and Carrying on an Inland Navigation in Ireland, to be by them Expended, towards Carrying on an Inland Navigation from the City of Dublin to the River Shannon, to be by them accounted for to Parliament; the Sum of four thousand Pounds to Robert Needham, Esq; towards making the River of Newry Navigable from the End of the New Canal and the Custom-House Quay, to the Sea,

CHAP. I.

upon his giving ſufficient Security by Recognizance before the Lord Chief Baron, or any of the Barons of his Majeſty's Court of Exchequer in this Kingdom, Conditioned to Perform the ſaid Work, and account for the ſaid Sum to Parliament; The Sum of Eight hundred Pounds to Thomas Barbon and Beverly Uſher, Eſquires, to make an Aquaduct from the River Finiſk to the Town of Dungarvan in the County of Waterford, they giving ſufficient Security by Recognizance before the Lord Chief Baron, or any other of the Barons of his Majeſty's Court of Exchequer, for the due Execution of the ſaid Work, and to account for the ſaid Sum to Parliament; The Sum of Five hundred Pounds to the Vicar and Church-Wardens of the Pariſh of Saint Mark, Dublin, to Enable them to Finiſh the Church begun in the ſaid Pariſh; the Sum of Five hundred Pounds to the Vicar and Church-Wardens of the Pariſh of Saint Catherine, Dublin, to Enable them to Rebuild the Church in the ſaid Pariſh; the Sum of Two thouſand Pounds to the Right Honourable the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin, to Enable them to Finiſh Eſſex Bridge in the ſaid City; the Sum of Ten thouſand Pounds to the Right Honourable the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin, to Enable them to Finiſh the Wall on the South Side

Side of the River Anna Liffey, commonly called the Ballaſt Office Wall: All which ſaid ſeveral Sums are to be paid by the Vice-Treaſurers, or Receiver-General of this Kingdom, without any further or other Warrant to be Sued for, had, or obtained in that behalf. CHAP. I.

And be it further Enacted by the Authority aforeſaid, That no Gold or Silver Lace whatſoever, except of the Manufactures of Great Britain, ſhall, from and after the Twenty fifth Day of December, One thouſand ſeven hundred and fifty five, be Imported in any Ship or Veſſel whatſoever into this Kingdom, under the Penalty of the Forfeiture of all ſuch Lace, and Treble the Value thereof, and the Ship or Veſſel in which the ſame ſhall be Imported, with all her Guns, Tackle, Furniture, Ammunition and Apparel, one Moiety of which Forfeitures ſhall be and Remain to Your Majeſty, Your Heirs and Succeſſors, and the other Moiety to him or them, who ſhall Seize and Sue for the ſame, by Action, Bill, Plaint or Information, in the Court of Exchequer, wherein no Wager of Law, Protection, Eſſoign or other dilatory Plea ſhall be allowed.

CHAP. II.

AN

ACT

FOR

Allowing further Time to Perſons in Offices or Employments to Qualify themſelves, purſuant to an Act, [Intituled, *An Act to Prevent the further Growth of Popery.*]

G. II. R.

DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*. M.DCC.LVI.

AN

ACT

FOR

Allowing further Time to Persons in Offices or Employments to Qualify themselves, pursuant to an Act [intituled, &c.] &c. to Prevent the further Growth of Popery.]

G R.

DUBLIN:

Printed by the Executor of George Faulkner Grierson, Printer to the King's Most Excellent Majesty, at the King's-Arms and Two Bibles in Essex-Street. M DCC LVI.

AN

ACT

FOR

Allowing further Time to Perſons in Offices or Employments to Qualify themſelves, purſuant to an Act, [Intituled, *An Act to Prevent the further Growth of Popery.*]

CHAP. II.

CHAP. II.

WHEREAS ſeveral perſons well-affected to His Majeſty's Government and the Church of Ireland, as by Law Eſtabliſhed, may have through Ignorance, Neglected, or been Prevented by Sickneſs or other unavoidable Cauſes, from Taking and Subſcribing the Oaths, and Making and Subſcribing the Declaration, and from Receiving the Sacrament of the Lord's Supper, according to the Directions of an Act Made in this Kingdom, in the Second Year of the Reign of Her late Majeſty Queen Anne, [Intituled, An Act to Prevent the further Growth of Popery;] and by their Inadvertency may have Incurred

CHAP. II.

great Penalties; Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That all and every Person or Persons who have Incurred any Penalties and Incapacities in the said Act, [Intituled, An Act to Prevent the further Growth of Popery;] mentioned, by Neglecting to Qualify Themselves according to the said Act, shall Be and are hereby Indemnified, Freed, and Discharged, of and from all Incapacities, Disabilities, Forfeitures, and Penalties Incurred, by Reason of such Omission or Neglect, as aforesaid; and that no Act or Acts Done by Them, or any of Them, or by Authority derived from Them, or any of Them, and not yet avoided, shall be questioned or avoided by Reason of such Neglect or Omission, but all such Acts shall Be, and are hereby Declared and Enacted to be as Good and Effectual, as if all and every such Person and Persons had Taken and Subscribed the said Oaths, and Received the said Sacrament, and Made and Subscribed the said Declaration in Manner as aforesaid, any Thing in the said Act to the contrary notwithstanding.

Provided such Person or Persons Do and shall Take and Subscribe the said Oaths, and receive the said Sacrament, and Make, Repeat and Subscribe the said Declaration, in such Manner

Manner and Form, and in such Place and Places as are Directed, and Appointed by the said Act To prevent the further Growth of Popery, on or before the first Day of May, which shall be in the Year of Our Lord One thousand seven hundred and fifty six. CHAP. II.

And whereas several of His Majesty's Subjects are often preferred in the Army residing in Great Britain, by which They are by the Laws in force in that Kingdom, obliged to Qualify Themselves in some part of Great Britain, by Receiving the Sacrament, Taking the Oaths and Subscribing the Declaration, within the Time mentioned in such Laws.

And whereas the Regiment or Regiments in which such Officer or Officers have Commissions so Granted them, are often Ordered into this Kingdom, and put upon this Establishment, by which a Doubt has arisen, whether such Officer or Officers, Notwithstanding He or They having Qualified Themselves in Great Britain, for such Commissions, according to the said Laws, are not by the Laws in force in this Kingdom, obliged to Qualify Themselves after their Arrival here, for such Commissions, according to an Act of Parliament Passed in this Kingdom, in the Second Year of the Reign, of Her late Majesty Queen Ann, [Intituled, An Act to prevent the further Growth of Popery;] Be it further Enacted by the Authority aforesaid,

CHAP. II.

That no Officer or Officers so Preferred in Great Britain, who shall have Qualified Him or Themselves for such Commission or Commissions, according to, and within the Time Limited by the said Laws made in Great Britain, shall be Obliged to Qualify Him or Themselves, in this Kingdom, for such Commission or Commissions so Granted to Him or Them, in such Regiment or Regiments, after Their Arrival in this Kingdom, and being put upon this Establishment, any Law, Usage or Custom to the contrary notwithstanding.

Provided allways, that this Act, or any Thing herein Contained, shall not Extend to Restore, or Intitle any person or persons to any Office of Employment already actually avoided, by Judgment of any of his Majesty's Courts of Record, or already filled up by any other person, but that such Office or Employment shall Be and Remain in the person or persons who is, or are now Intitled by Law to the same, as if this Act had never been made.

AN

CHAP. III.

AN

ACT

FOR

Continuing and Amending ſeveral Laws heretofore Made, relating to His Majeſty's Revenue: And for the more Effectual Preventing of Frauds, in His Majeſty's Cuſtoms and Exciſe.

GII R

DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's Arms* and *Two Bibles* in *Eſſex-Street*. MDCCLVI.

CHAP. III.

AN

ACT

FOR

Continuing and Altering several Laws therein-mentioned, so far as His Majesty's Revenue And for the more Regular Preventing or Guarding against the Majesty's Customs and Excise.

DUBLIN:

Printed by the Executor of George Ashenham Grierson, Printer to the King's Most Excellent Majesty, at the King's Arms and Two Bibles in Eden-Street. MDCCLVI.

AN ACT FOR

Continuing and Amending ſeveral Laws heretofore Made, relating to His Majeſty's Revenue: And for the more Effectual Preventing of Frauds, in His Majeſty's Cuſtoms and Exciſe.

CHAP. III.

CHAP. III.

WHEREAS the ſeveral Statutes herein after mentioned, have been found to be of General Uſe, but are now near Expiring; Be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority of the Same; That an Act of Parliament Made in this Kingdom, in the Sixth Year of his late Majeſty King George the Firſt, [Intituled, An Act for the more Effectual Preventing the Running of Goods, and for the further Preventing Frauds Committed in His Majeſty's Cuſtoms;] and,

CHAP. III.

one other Act of Parliament, Made in this Kingdom, in the Twelfth Year of the Reign of His late Majesty King George the First, [Intituled, An Act to prevent the Fradulent and Clandestine Importing of Goods;] and also such parts of one other Act of Parliament Made in this Kingdom, in the Seventh Year of His Present Majesty's Reign, [Intituled, An Act for Continuing and Amending an Act, Intituled *An Act for the more Effectual Preventing several Frauds and Abuses Committed in His Majesty's Customs and Excise, and for Settling the Rates of Certain Goods and Merchandizes not Particularly Valued in the Book of Rates;*] and for Continuing and Amending, an Act [Intituled, An Act for the better Securing and Collecting His Majesty's Revenue; and also for Preventing Frauds in the Collection thereof;] as are not altered by an Act of Parliament Made in this Kingdom in the Eleventh Year of His Present Majesty's Reign, [Intituled, [An Act for Continuing and Amending several Laws heretofore Made, Relating to His Majesty's Revenue, and the more Effectual Preventing the Running of Goods;] and also, so much of that part of one other Act of Parliament, Made in the Ninth Year of His Present Majesty's Reign, [Intituled, An Act for Continuing and Amending several Statutes now near Expiring;] whereby it is Enacted, That where any Goods Exciseable shall be Unshipped or Landed, out of any Vessel or Boat, not exceeding the Burthen

of

of Twenty five Tunns, not being in Leak or Wreck before due Entry made of such Vessels or Boats, and of all the said Goods at the Custom-house, or Place Allowed for Landing, where such Vessel or Boat shall happen to Unship or Unlade, or at any unlawful Hours, or without the Knowledge, Privity, or Consent of the proper Officer or Officers who should have Attended the Unlading of such Goods; all such Vessels and Boats, together with their Tackle and Furniture, shall be Forfeited: which said Forfeiture may be Sued for and Recovered, in such Manner and Form as is Mentioned in an Act Made in the fourteenth Year of the Reign of King Charles the Second, [Intituled, An Act for the Settling of the Excise or new Impost upon His Majesty, His Heirs and Successors, according to the Book of Rates, therein inserted;] with like Remedy of Appeal, as is not Altered or Repealed by this Act; and likewise such parts of one other Act of Parliament Made in this Kingdom in the First Year of his Present Majesty's Reign, [Intituled, An Act for the more Effectual Preventing several Frauds and Abuses committed in His Majesty's Customs and Excise, and for Settling the Rates of certain Goods and Merchandizes not particularly Valued in the Book of Rates;] as are not Altered or Repealed by an Act of Parliament Made in the Third Year of his Present Majesty's Reign, [Intituled, An Act for the Encou-

CHAP. III.

ragement of Tillage, and better Employment of the Poor;] **and also for the more Effectual putting in Execution an Act,** [**Intituled,** An Act to Encourage the Draining and Improving of Boggs and unprofitable low Grounds; and for Easing and Dispatching the Inland Carriage and Conveyance of Goods from one Part to another within this Kingdom; and also for laying several Duties upon Coaches, Berlins, Chariots, Calashes, Chaises, and Chairs, and upon Cards and Dice, and upon wrought and manufactured Gold and Silver Plate Imported into, or Made in *Ireland*, for the Purposes therein mentioned; and also for Repealing the Duties payable upon the Exportation of Wool, Bay-Yarn, and Woollen-Yarn, out of this Kingdom for *England*;] **and likewise such parts of one other Act of parliament Made in this Kingdom in the Fifth Year of his Present Majesty's Reign,** [**Intituled,** An Act for the better Securing and Collecting His Majesty's Revenue;] **as are not Altered or Repealed by an Act of parliament Made in the Seventh Year of his Present Majesty's Reign,** [**Intituled,** An Act for Continuing and Amending an Act, [Intituled, *An Act for the more Effectual Preventing several Frauds and Abuses committed in His Majesty's Customs and Excise, and for Settling the Rates of certain Goods and Merchandizes not particularly Valued in the Book of Rates*;] **and for Continuing and Amending an Act,** [**Intituled,** An Act for the better Securing and Collecting His Majesty's Revenue, and also for Preventing Frauds in the Collection

Collection thereof;] and also such parts of said Act Made in the Eleventh Year of his Present Majesty's Reign, [Intituled, An Act for Continuing and Amending several Laws heretofore Made, Relating to His Majesty's Revenue, and the more Effectual Preventing the Running of Goods;] as are not Altered by an Act of Parliament Made in the Thirteenth Year of his Present Majesty's Reign, [Intituled, An Act for Continuing and Amending several Laws heretofore Made, Relating to His Majesty's Revenue, and the more Effectual Preventing Frauds in His Majesty's Customs and Excise;] and also by an Act of Parliament Made in the Twenty third Year of the Reign of his Present Majesty, [Intituled, An Act for the Continuing and Amending several Laws heretofore Made, Relating to His Majesty's Revenue, and for the more Effectual Preventing of Frauds in His Majesty's Customs and Excise;] and also such parts of the said Act Made in the Thirteenth Year of his Present Majesty's Reign, [Intituled, An Act for Continuing and Amending several Laws heretofore Made, Relating to His Majesty's Revenue, and the more Effectual Preventing of Frauds in His Majesty's Customs and Excise;] as are not altered by An Act of Parliament, made in the Fifteenth Year of His Present Majesty's Reign, [Intituled, An Act for Continuing and Amending several Laws heretofore Made, Relating to His Majesty's Revenue, and the more Effectual Preventing Frauds in His Majesty's Customs and

CAP. III.

Excise;] **and also the said Act in the Fifteenth Year, of his Present Majesty's Reign,** [**Intituled,** An Act for Continuing, and Amending several Laws heretofore Made, Relating to His Majesty's Revenue, and the more Effectual Preventing Frauds in His Majesty's Customs and Excise;] **and likewise, such Parts of one other Act of Parliament, Made in this Kingdom, in the Seventeenth Year of his Present Majesty's Reign,** [**Intituled,** An Act for Continuing and Amending several Laws heretofore Made, Relating to His Majesty's Revenue, and for the more Effectual Preventing of Frauds in His Majesty's Customs and Excise;] **as are not Altered, or Repealed, by the said Act Passed, in the Twenty third Year of his Present Majesty's Reign,** [**Intituled,** An Act for Continuing and Amending several Laws heretofore Made, Relating to His Majesty's Revenue, and for the more Effectual Preventing of Frauds in His Majesty's Customs and Excise;] **and also such Part of an Act, Made in the Nineteenth Year of his Present Majesty's Reign,** [**Intituled,** An Act for Continuing and Amending several Laws heretofore Made, Relating to His Majesty's Revenue, and for the more Effectual Preventing of Frauds in His Majesty's Customs and Excise;] **as are not Altered, or Repealed by an Act Passed, in the Twenty third Year of his Present Majesty's Reign,** [**Intituled,** An Act for Continuing and Amending several Laws heretofore Made, Relating to His Majesty's Revenue, and for the more Effectual Preventing

of

of Frauds, in His Majeſty's Cuſtoms and Exciſe;] **and likewiſe ſuch parts of another Act of Parliament, Made in this Kingdom, in the Twenty firſt Year of His preſent Majeſty's Reign,** [Intituled, An Act for Continuing and Amending ſeveral Laws heretofore Made, Relating to His Majeſty's Revenue, and the more Effectual Preventing of Frauds in His Majeſty's Cuſtoms and Exciſe;] **as are not Altered or Repealed by the ſaid Act Made and paſſed in the Twenty third Year of His preſent Majeſty's Reign,** [Intituled, An Act for Continuing and Amending ſeveral Laws heretofore Made, Relating to His Majeſty's Revenue, and for the more Effectual Preventing of Frauds in His Majeſty's Cuſtoms and Exciſe;] **as alſo the ſaid laſt recited Act Made in the Twenty third Year of His preſent Majeſty's Reign,** [Intituled, An Act for Continuing and Amending ſeveral Laws heretofore Made, Relating to His Majeſty's Revenue, and for the more Effectual Preventing of Frauds in His Majeſty's Cuſtoms and Exciſe;] **ſhall be and remain in full Force for the Term of Two Years from the reſpective Expirations of the ſaid ſeveral Acts, and from thence to the End of the then next Seſſion of Parliament:**

And whereas by the ſaid Act Made and paſſed in the Thirteenth Year of His preſent Majeſty's Reign, [Intituled, An Act for Continuing and Amending ſeveral Laws heretofore Made, Relating to His Majeſty's Re-

CHAP. III.

venue, and for the more Effectual Preventing Frauds in His Majesty's Customs and Excise;] it is Enacted, That every common Brewer, Inn-keeper, Victualler and Retailer of Beer and Ale, shall, on or before the Twenty ninth Day of September, One thousand seven hundred and forty, enter with the Gauger, or other Officer of Excise, of the District, within which such common Brewer, Inn-keeper, Victualler, and Retailer of Beer and Ale, Respectively shall Reside, all Cellars, Store-houses, and places whatsoever by Them Respectively used for laying up or Storing Beer, Ale, or Worts in Casks; and that every Cellar, Store-house, and place whatsoever, which shall not be so Entered as aforesaid, or which shall not be so Entered before the same be Made use of, shall be Deemed and Taken to be a Private Cellar, or Store-house within the Meaning of the said Act. And Whereas it has been Doubted, whether the said Clause, Extends to common Brewers, Inn-Keepers, Victuallers, or Retailers of Beer and Ale, who have Commenced such since the Twenty ninth Day of September, One thousand seven hundred and forty; Be it therefore Declared, and Enacted, by the Authority aforesaid, That every Person who now is, or hereafter shall be a common Brewer, Inn-keeper, Victualler, or Retailer of Beer and Ale, shall, from and after, the Twenty fifth Day of March, One thousand seven hundred and

and fifty six, Enter with the Gauger, or other Officer of Excise, of the District within which such common Brewer, Inn-keeper, Victualler, and Retailer of Beer and Ale respectively shall Reside, all Cellars, Store-Houses, and places whatsoever, by Them respectively used for Laying Up, or Storing Beer, Ale or Worts in Casks; and that every Cellar, Store-House, and Place whatsoever, which shall not be so Entered, as aforesaid, or which shall not be so Entered before the Same be Made Use of, shall be Deemed and Taken to be a Private Cellar, or Store-House, within the Meaning of the said Act passed in the Thirteenth Year of his said Majesty's Reign. CHAP. III.

And whereas, great Quantities of Tobacco are Run, and Fraudulently Imported into this Kingdom, without paying the Duties thereout Due to His Majesty; And whereas the Persons who Expose the said Tobacco, so Run, as aforesaid, to Sale, Alledge and Pretend that the said Tobacco, so Run, as aforesaid, is Tobacco which was Seized and Forfeited for being Run into this Kingdom, and that they purchased the Same at the Sales made of such Forfeited Tobacco, whereby it becomes Extremely Difficult, and in many Cases Impossible to Prove that the Tobacco so Run and Exposed to Sale, as aforesaid, was Clandestinely Imported into this Kingdom;

CHAP. III.

For Remedy whereof, Be it Enacted, by the Authority aforesaid, That, from and after the said Twenty fifth Day of March, One thousand seven hundred and fifty six, all Tobacco which shall be Seized and Condemned for being Run, or intended to be Run, into this Kingdom, shall, within Ten Days after such Forfeiture, if there shall be no Appeal, and in Case of an Appeal, within five Days after the Sentence of Condemnation shall have been Affirmed, or the Appeal Dismissed, be Publickly and Openly Burned in the Presence of the Collector of the Port, or Head Officer of the District where such Tobacco shall be Seized and Forfeited; and every such Collector or Officer who shall Neglect or Refuse to Attend and Cause such Tobacco to be Burned, as aforesaid, shall Forfeit his Employment, and the Sum of Ten Pounds, to be Recovered by Civil Bill before the Justice or Justices of Assize, for the County where such Port or District lies, and in the County of the City of Dublin, and County of Dublin, before the Justices of the Peace at their Sessions respectively, by any Person who shall first Sue for the same; Provided such Suit be Commenced at the next Assizes or Sessions after such Neglect or Refusal, and not otherwise. And in Order that the Officers of His Majesty's Revenue and other Persons Seizing such Tobacco, may not be Deprived of the Reward

ward to which they are Intitled, as the Law now Stands for Seizing the said Tobacco, so Run, as aforesaid; Be it Enacted by the Authority aforesaid, That every Officer, or other Person, who shall Seize any Tobacco, Run and Clandestinely Imported into this Kingdom, without paying the Duties thereout Due and payable to His Majesty, shall, upon the Condemnation and Burning such Tobacco, be paid out of His Majesty's Revenenue by the Collector of the Port, or Head Officer of the District, where such Tobacco shall be so Seized or Forfeited, any Sum of Money, which the said Collector or Head Officer, shall Judge to be Equal in Value to one Moyety or Half of the Tobacco so Seized and Forfeited as aforesaid, not exceeding the Rate of Three Pence per Pound. CHAP. III.

And be it further Enacted by the Authority aforesaid, That all the Forfeitures and Penalties, Inflicted by this Act, other than such as are otherwiseby this Present Act appointed, shall and may be Sued for and Recovered, Levied, and Applyed in such Manner and Form, and by such Ways and Methods, and under such Regulations, and in such Time as are Prescribed and Appointed In, and By an Act of Parliament Made in the Fourteenth Year of the Reign of King Charles the Second, [Intituled, An Act for the Settling of the

CHAP. III.

Excise or New Impost, upon His Majesty, His Heirs, and Successors, according to the Book of Rates, therein Inserted;] **with like Remedy of Appeal to the Party or Parties who shall think Himself or Themselves Aggrieved or Injured, as by the said Act is Provided.**

Provided allways, And be it further Enacted, by the Authority aforesaid, That so much of this Act, as is not mentioned to be for Continuing any former Act or Acts, Clause or Clauses, in any Former Act or Acts, shall Continue, and be in Force for Two Years, from the Twenty fifth Day of March, **One Thousand seven hundred and fifty six, and from thence to the End of the then Next Session of Parliament, and no longer.**

AN

CHAP. IV.

AN

ACT

FOR

Licenſing Hawkers and Pedlars; and for Encouragement of *Engliſh* Proteſtant Schools.

G. II. R.

DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*. M.DCC.LVI.

CHAP. IV.

AN

ACT

FOR

Licenſing Phyſicians and Pedlars; and for Encouragement of Mighty Protestant Schools.

DUBLIN:

Printed by the Executor of Edward Jarratt Grierson, Printer to the King's Most Excellent Majesty, at the King's-Arms and Two Bibles in Eſſex-Street. M DCC LVI.

AN

ACT

FOR

Licenſing Hawkers and Pedlars; and for Encouragement of *Engliſh* Proteſtant Schools.

CHAP. IV.

WHEREAS the Continuing the Encouragement formerly Given to Engliſh Proteſtant Schools, will be of great Benefit to this Kingdom, and it is reaſonable that ſome Publick Fund ſhould be Applyed and Set apart for that Purpoſe; Be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this Preſent Parliament Aſſembled, and by the Authority of the ſame, That from and after the Twenty fourth Day of June, One thouſand ſeven hundred and fifty ſix,

CHAP. IV.

until the Twenty fifth Day of June, One thousand seven hundred and fifty eight, there shall be Answered and Paid unto His Majesty, His Heirs and Successors, by every Hawker, Pedlar, Petty Chapman, or any other Trading Person or Persons going from Town to Town, or to other Mens Houses, and Travelling either on Foot, or with Horse, Horses, or otherwise, within this Kingdom (except as herein after mentioned) Carrying to Sell, or Exposing to Sale, any Goods, Wares, or Merchandizes, a Duty of Twenty Shillings by the Year; and that every Person so Travelling with a Horse, Ass, or Mule, or any other Beast, Bearing or Drawing Burthen, shall pay the Sum of Twenty Shillings by the Year, from the Twenty fourth Day of June, One thousand seven hundred and fifty six, to the Twenty fifth Day of June, One thousand seven hundred and fifty eight, for each Horse, Ass, or Mule, or other Beast, Bearing or Drawing Burthen, He or She shall so Travel with, over and above the said first mentioned Duty of Twenty Shillings by the Year; which said Rates and Duties shall be Collected by such Person and Persons, and in such Manner, and by such Ways and Means, as the Duty payable for Licences to keep Ale-houses is Raised and Collected, by Virtue of an Act Made in this Kingdom in the Eleventh Year of the Reign of his present Majesty, [Intituled, An Act for

for Continuing and Amending ſeveral Laws heretofore Made, Relating to His Majeſty's Revenue, and the more Effectual Preventing the Running of Goods;] as fully to all Intents and Purpoſes, as if the Proviſions in the ſaid Act for that Purpoſe, were particularly Mentioned and Expreſſed, and Enacted again in the Body of this preſent Act. CHAP. IV.

And be it further Enacted by the Authority aforeſaid, That every Pedlar, Hawker, Petty Chapman, and other Trading Perſon or Perſons ſo Travelling as aforeſaid, ſhall, before the Twenty fifth Day of June, One thouſand ſeven hundred and fifty ſix, and ſo likewiſe in every Year, Deliver, or Cauſe to be Delivered to the Collector of Excile, for the Diſtrict where He or She ſhall Reſide or Dwell, a Note in Writing under His or Her Hand, or under the Hand of ſome Perſon by Her or Him Authorized in that Behalf, how, and in what Manner He or She intends to Travel or Trade, whether on Foot, or with one or more Horſe or Horſes, Aſs or Aſſes, Mule or Mules, or other Beaſt or Beaſts of Burthen, for His or Her ſo Travelling and Trading, for which He or She ſhall thereupon Pay, or Cauſe to be paid unto ſuch Collector, the Yearly Duty herein before Directed to be Payable for the ſame, and thereupon a Licence ſhall be Granted unto Him or Her, ſo to Travel or Trade, by ſuch Collector.

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And be it further Enacted by the Authority aforesaid, That if any such Hawker, Pedlar, or Petty Chapman, from and after the said Twenty fourth May of June, One thousand seven hundred and fifty six, be found Trading as aforesaid, without, or contrary to such Licence, such Person shall, for each and every such Offence, Forfeit the Sum of Five Pounds, one Moiety thereof to the Informer, and the other Moiety to the Incorporated Society in Dublin, for Promoting English Protestant Schools.

And be it Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the said Collectors of the several Districts in this Kingdom respectively, and they are hereby respectively Directed, Appointed, and Required upon the Terms aforesaid, and upon the Receipt as aforesaid, to Grant a Licence under their respective Hands, to every Hawker, Pedlar, Petty Chapman, or any other Trading Person, for Him or Herself, with one or more Horses, Asses, Mules or Beasts, which He or They shall Travel with, as the Case shall require; for which Licence there shall be Taken by such Collectors, for their own Use, One Shilling, and no more; Except such Hawker, Pedlar, or Petty Chapman, shall Travel with Horse, Ass, or Mule, or other Beast of Burthen; and

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in that Caſe there ſhall be paid unto ſuch Collectors, for their own Uſe, for ſuch Licence, Two Shillings, and no more, over and above the Duties aforeſaid; and that the ſaid Collectors ſhall Keep ſeperate and diſtinct Accounts of the Duties hereby Granted, and pay the Money ariſing thereby, into His Majeſty's Treaſury, as other Money Received by Them, for the Uſe of His Majeſty. CHAP. IV.

And be it further Enacted by the Authority aforeſaid, That the ſaid Collectors ſhall be accountable to His Majeſty for the Duties hereby Granted, and ſhall be ſubject to the like Penalties and Forfeitures, for not Rendering a true Account thereof, and Paying the ſame in Manner aforementioned, as They are, and ſtand liable unto, for not Rendering a true Account of any Money Received by Them, for the Uſe of His Majeſty.

And be it further Enacted by the Authority aforeſaid, That the Monies Ariſing from the ſaid Duties hereby Granted, ſhall, from Time to Time, be brought into the Receipt of His Majeſty's Exchequer, and ſhall, from Time to Time, without any Fee or Deduction whatſoever, be paid by the Vice-Treaſurer or Receiver-General of this Kingdom, to the Incorporated Society in Dublin, for Promoting Engliſh Proteſtant Schools, or to their Treaſurer for the Time being,

being, for the use of the said Incorporated Society.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons whatsoever, shall Forge or Counterfeit, or cause to be Forged or Counterfeited, any Licence or Licences for the Purposes aforesaid, or Travel with such Forged or Counterfeited Licence or Licences, knowing the same to be Forged or Counterfeited; such Person shall Forfeit the Sum of Fifty Pounds, one Moiety thereof to the King, and the other to him who shall Prosecute, or Sue for the same, to be Recovered by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record, at the Four Courts in Dublin, in which no Essoign, Protection, or Wager of Law, or more than one Imparlance shall be allowed, and shall be subject to such other Pains and Penalties, as may be Inflicted on Persons for Forgery.

And Be it Enacted by the Authority aforesaid, That if any Person or Persons shall be Sued, Molested, or Troubled, for putting in Execution, any of the Powers, Contained in this Act, or for Doing any Matter or Thing Pursuant thereto; such Person or Persons, shall, and may plead the General Issue, Not Guilty, and give the Special Matter in Evidence; and if the Plaintiff

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plaintiff or plaintiffs shall be Nonsuited, or Judgment be given against him, or Them, upon Demurrer, or otherwise; Or a Verdict pass for the Defendant or Defendants, or a Dismiss upon a Civil Bill, such Defendant or Defendants, shall have his, her or Their Treble Costs, to be Recovered, in such Manner as where by Law Costs are Given to Defendants.

And, Be it further Enacted, by the Authority aforesaid, That if any Constable shall Refuse or Neglect, upon due Notice, or on his own View, to be Aiding and Assisting, in the Execution of this Act, being thereunto Required, every such Constable, being thereof Convicted by the Oath of one or more Credible Witness or Witnesses, before any Justice of the Peace, for the County or Place, where such Offence shall be Committed, shall Forfeit for each and every such Offence, Contrary to this Act, the Sum of Forty Shillings, to be Levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal of such Justice of the Peace; one Moiety to the said Incorporated Society, the other Moiety to the Informer who shall Prosecute for the Same, Rendering the Overplus thereof, to the Owner, (if any be.)

And be it further Enacted, by the Authority aforesaid, That it shall and may

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be Lawful for any Person or Persons, whatsoever, to Seize, and Detain any such Hawker, Pedler, Petty-Chapman, or other Trading Person or Persons as aforesaid, and also, the Goods they shall be found Trading with, until such Time as He, She, or They, shall produce a Licence, in that Behalf, if He, She or They, have any, and if He, She, or They shall be found Trading without Licence, contrary to this Act, That then it shall and may be Lawful, to and for such Person or Persons so Seizing, as aforesaid, taking to His, or Their Assistance such Person or Persons, as He or They shall think fit, to carry the Person so Seized, as also, the said Goods, before some one of His Majesty's Justices of the Peace, of the County or Place, or before the Collector of His Majesty's Revenue, for the District where such Offence or Offences shall be Committed, which said Justice of the Peace, and Collector respectively, are Hereby Strictly Required, either upon the Confession of the Party Offending, or due Proof of a Witness upon Oath, which they are hereby respectively Impowered to Administer, that the Person so brought before Him, had so Traded, as aforesaid; And if no such Licence, shall be produced, by such Offender, before the said Justice, or Collector, by Warrant under His Hand and Seal, to cause the Sum of Five Pounds to be forthwith Levied by Distress and Sale of the

the Offender or Offenders Goods, Wares, or Merchandizes, Rendering the Overplus, if any be, to the Owner or Owners thereof, after Deduction of the reasonable Charge for Taking the said Distress, and out of the said Sale to pay the Penalty and Forfeiture aforesaid. CHAP. IV.

Provided allways, And be it Enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend to Prohibit any Person from Selling of any Acts of Parliament, Forms of Prayer, Proclamations, Gazettes, Almanacks, or other Printed Papers, or any Fish, Fruit, or Victuals, Nor to hinder any Person, or Persons, who are the Real Workers, or Makers of any Goods or Wares within this Kingdom, or His or their Wife, or Wives, Apprentice, or Apprentices, from carrying abroad, exposing to Sale, and Selling any of the said Goods, and Wares of His, Her, or their Making, in any Publick Fairs, Markets, or elsewhere, Nor any Tinker, Cooper, Glazier, Plumber, Harness-mender, or other Persons usually Trading in Mending Kettles, Tubbs, Houshold Goods, or Harness, whatsoever, from going about or Carrying with Him or Them proper Materials for Mending the same.

Provided also, And be it Enacted by the Authority aforesaid, That this Act, or any Thing herein Contained, shall not extend

to Subject any Person or Persons, who shall Carry Raw and Unmanufactured Wool, or Frizes, or Stockings Made of Woollen-Yarn, from one Part of the Kingdom to the other, or expose the same to Sale, in any Fair, Market, or other Place in this Kingdom, to any of the Duties or Penalties herein before mentioned, so as such Person or Persons shall not at the same Time Carry or expose to Sale, any other Wares, Goods or Merchandizes, except the said Raw and Unmanufactured Wool, and the said Frizes, and Stockings, Made of Woollen-Yarn.

Provided also, And be it Enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend to Prohibit or Restrain any Person or Persons from Selling or Exposing to Sale, in any Place or Places whatsoever, any Flax, Tow, Hemp, Flaxen-Yarn, Hempen-Yarn, Ticken, Plain, Striped, Chequered, Painted or Stained Linens, Buckrams or Canvas, so as such Person or Persons shall not at the same Time, Carry or Expose to Sale any other Wares, Goods or Merchandizes, except such Flax, Tow, Hemp, Flaxen-Yarn, Hempen-Yarn, Tickens, Plain, Striped, Chequered, Painted or Stained Linens, Buckrams or Canvas, as aforesaid.

Provided also, And be it Enacted by the Authority aforesaid, That this Act, or any Thing

Thing herein Contained, shall not Extend to Subject any Person or Persons who shall Carry Pots or Griddies, Made of Cast Iron Metal, from one part of the Kingdom to another, or Expose the same to Sale, in any Fair, Market, or other Place in this Kingdom, to the Payment of any Greater Duty, than the Sum of Twenty Shillings by the Year, in the Whole, although such Person or Persons, shall or may Trade or Travel with One or more Horse or Horses, or other Beast or Beasts, Drawing or Bearing Burthen, so as such Person or Persons shall not at the same Time, Carry or Expose to Sale, any other Goods, Wares or Merchandizes, except the said Pots and Griddies Made of Cast Iron Metal. CHAP. IV.

Provided also, And be it Enacted by the Authority aforesaid, That it shall and may be Lawful, to and for the Commissioners of his Majesty's Revenue, or any Three or more of Them, for the Time being, to Order and Direct to be Paid out of the Monies Raised by this Act, to the said Collectors, Their Clerks, or any other Persons, such Sums of Money as They or any of Them, shall or may reasonably Deserve for Their Service, or shall or may have Expended in the Execution of, or in Relation to this Act.

Provided also, And be it further Enacted by the Authority aforesaid, That this

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Act or any Thing herein contained, ſhall not Extend or be Conſtrued to give any Power for Licenſing any Hawker, Pedlar, or Petty Chapman, to Sell or Expoſe to Sale, any Wares or Merchandizes, in any City, Borough, Town Corporate, or Market Town within this Realm, any otherwiſe than He or She might have done before the Making of this Act; Any Thing herein Contained to the Contrary in any wiſe notwithſtanding.

And for the further Encouragement of Engliſh Proteſtant Schools; Be it Enacted by the Authority aforeſaid, That it ſhall and may be Lawful, to and for every Archbiſhop and Biſhop, and to and for every Dean, Arch-Deacon, Dignitary, Prebendary, Rector, Vicar, and Eccleſiaſtical Perſon whatſoever, with the Conſent of the Archbiſhop or Biſhop, ſignified under the Hand and Seal of ſuch Archbiſhop and Biſhop reſpectively, and to and for every Perſon being Seized of an Eſtate for Life, in Poſſeſſion of any Land with Immediate Remainder over to his Iſſue, in Tail by Deed or Deeds reſpectively, to Grant in Poſſeſſion abſolutely, or in Fee-Farm any Quantity of Land to them reſpectively belonging, not exceeding two Acres Plantation Meaſure, to the ſaid Incorporated Society and their Succeſſors for ever, and that all Grants ſo to be made ſhall be Good and Effectual againſt the Succeſſors of ſuch Archbiſhop,

Archbishop, Bishop, Dean, Arch-Deacon, Dignitary, Prebendary, Rector, Vicar, and other Ecclesiastical Person respectively, and against all Persons Claiming or to Claim, any Estate, Right, Title, or Interest in such Land, by Virtue of, or under any Limitation, Remainder or Reversion, Expectant upon such Estate for Life.

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AN

ACT

TO

Prohibit the Return into this Kingdom, of ſuch of His Majeſty's Subjects as now are, or at any Time hereafter ſhall be, in the Service of the *French* King.

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DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's Arms* and *Two Bibles* in *Eſſex-Street*. MDCCLVI.

CHAP.
V.

AN

ACT

TO

Prohibit the Return into this Kingdom, of such of His Majesty's Subjects as now are, or at any Time hereafter shall be, in the Service of the French King.

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AN

ACT

TO

Prohibit the Return into this Kingdom, of ſuch of His Majeſty's Subjects as now are, or at any Time hereafter ſhall be, in the Service of the *French* King.

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CHAP. V.

WHEREAS many of his Majeſty's Subjects have been Induced, contrary to their natural Duty and Allegiance, to Serve as Officers, Soldiers, and Mariners, under the French King, and have of late, in open Defiance of the Laws, Reſorted to this Kingdom, with an Intent to Seduce others of his Majeſty's Subjects into that Service, which Practice is highly prejudicial to the Safety and Welfare of this Kingdom; For Remedy whereof, Be it Enacted by the King's Moſt Excellent Majeſty, by and with the

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Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That every Person, being a natural born Subject of this Kingdom, who now is, or hereafter shall be, an Officer, Soldier, or Mariner, in the Service of the French King, who shall Land, or attempt to Land, or shall be Found in Ireland, or shall be Found on board any Ship, Vessel, or Boat, being so on board with Intent to Land in this Kingdom; and every Person and Persons, who shall, within this Kingdom, knowingly Aid, Abet, Conceal, Comfort, or Succour, any such Officer, Soldier, or Mariner, Returning into this Kingdom, shall Stand and be Adjudged Guilty of Felony, without Benefit of the Clergy, and shall Suffer, and Forfeit, as Persons Attainted of Felony, by the Laws of the Land, ought to Suffer and Forfeit.

Provided allways, And be it Enacted by the Authority aforesaid, That any Offence against this Act may be Tried, and the Venue laid in any County in this Kingdom.

And be it Enacted by the Authority aforesaid, That if any such Officer, Soldier, or Mariner, now actually Engaged in the Service of the French King, shall, on or before the First Day of August, One thousand

thouland seven hundred and fifty six, Re- CHAP. V.
turn into this Kingdom, with Intent to become a Dutiful and Faithful Subject to his Majesty, his Heirs and Successors, and Surrender himself to any one or more of his Majesty's Justices of the peace for any County, County of a City, or County of a Town, in this Kingdom, such Officer, Soldier, or Mariner, shall be Committed to the Common Goal of such County, County of a City, or County of a Town, until the next General Assizes, or General Quarter-Sessions of the Peace, to be held in, and for them, respectively; unless such Officer, Soldier, or Mariner, can, with good and sufficient Sureties, Enter into a Recognizance, in the usual Manner, to Appear at such General Assizes, or General Quarter-Sessions of the peace: And if such Officer, Soldier, or Mariner, so Returning into this Kingdom, shall, at the said next General Assizes, or General Quarter-Sessions of the Peace, Take and Subscribe the Oaths of Allegiance and Abjuration, in open Court, such Officer, Soldier, or Mariner, shall from thence forth be Exempted and Freed from all Offences, Penalties, and Forfeitures, Created by this Act, or by any former Law in this Kingdom against Inlisting in Foreign Service; any Thing in this Act, or in any former Law, to the contrary thereof, in any wise, notwithstanding.

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Provided allways, That the Return of such Officer, Soldier, or Mariner, into this Kingdom, within the Time herein before Limitted and Appointed, and His or Their Compliance with the Terms Prescribed by this Act, shall not Extend to Restore or Intitle any such Officer, Soldier, or Mariner, to any Lands, Tenements, or Hereditaments, or any Money, Chattels, Debts, or Securities, for Money, or any Real or Personal Estate, or Trust Estate, or Interest, in the same, already Recovered by any Protestant Discoverer, or for Recovery of which any Suit was Instituted by any Protestant Discoverer, by and in virtue of the Statute Made in this Kingdom in the Nineteenth Year of His Present Majesty's Reign, [Intituled, An Act for the more Effectual Preventing His Majesty's Subjects from Entering into Foreign Service;] and for Publishing an Act of the Seventh Year of King William the Third, [Intituled, An Act to Prevent Foreign Education;] but that such Recovery and Suit shall Be and Remain in such Plight and Condition, as if this Act had never been made.

AN

CHAP. VI.

AN

ACT

For Better REGULATING

JURIES.

G. II. R.

DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*. M.DCC.LVI.

CHAP. VI.

AN

ACT

For Better Regulating

JURIES.

G. II. R.

DUBLIN:

Printed by the Executor of Grorge Ashham Grierson,
Printer to the King's Most Excellent Majesty, at the
King's-Arms and Two Bibles in Essex-Street. M,DCC,LVI.

AN ACT FOR Better Regulating JURIES.

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WHEREAS many evil Practices have been used in Corrupting of Jurors Returned for the Tryal of Issues, Joined to be Tryed before the Justices of Assize, or Nisi Prius, and many Persons being lawfully Summoned to Serve on Juries, have neglected to Appear, to the great Injury of many Persons in their Properties and Estates; In order to Prevent the like Practices, Neglects and Abuses, Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and

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Consent of the Lords Spiritual and Temporal, and Commons in this Present Parliament Assembled, and by the Authority of the Same, That from and after the First Day of May, in the Year of Our Lord, One thousand seven hundred and fifty six, no Person or Persons, other than Strangers, upon Trials, per medietatem Linguæ, shall be Qualified to Serve as Jurors, for the Trial of Issues joined between Party and Party, in the Courts of Chancery, King's-Bench, Common-Pleas, or Exchequer, or to Serve on any Jury, on the Trial of any such Issue, before any Justice or Justices of Assize, or Nisi Prius, except in Counties of Cities, and Counties of Towns, that shall not be seized of a Freehold of the clear yearly Value of Ten Pounds, or, being a Protestant, or Protestants, shall not be possessed of a Lease or Leases for a Term of Years, of which Fifteen Years shall be then in Being and Unexpired, or a Lease or Leases for Sixty one Years or more, determinable on one or more Life or Lives, on which Leases respectively, a clear Profit-Rent, of not less than Fifteen Pounds, shall arise, or accrue to the Lessee thereof: And if any Person of lesser Estate or Value than as aforesaid, shall be respectively Returned upon any such Jury, it shall be a good Cause of Challenge, and the Party so Returned, shall be Discharged upon such Challenge, on due Proof thereof, or on Oath by him to be made, of the Truth of such Matter; and

and the Writ of Venire Facias, which from and after the Time aforesaid, shall be Awarded and Directed for Impannelling of Juries, in Cases aforesaid, shall be in this Form: KING, and so forth. WE Command, and so forth, that you Cause to come before, and so forth, Twelve Free and Lawful Men of your County, every of which to have Ten Pounds a Year, at least, in Lands, Tenements, or Rents, by whom, and so forth, and who are in no Ways, and so forth; And the residue of the said Writ shall be after the usual Manner. And upon such Writ, all Persons Qualified by this Act, to Serve on Juries, as is before Directed, whether Freeholders or Leaseholders, shall, and may be Returned, Summoned, and Impannelled, by Virtue of this Act, or any other Act or Acts of Parliament for that Purpose; any Law, Statute, Usage, or Custom to the contrary thereof, in any wise, notwithstanding.

And be it further Enacted by the Authority aforesaid, That no Sheriff or Under-sheriff, Bailiff, or other Officer, or Person whatsoever, shall Directly, or Indirectly Take, or Receive, any Money, or other Reward to Excuse any Person from Serving or being Summoned to Serve on Juries, or under that Colour, or Pretence, and that no Bailiff or other Officer Appointed by any Sheriff or Under-sheriff to Summon Juries, shall Summon any Person to Serve thereon, other than

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such whole Name is Specified in a Mandate Signed by such Sheriff or Under-sheriff, and Directed to such Bailiff or other Officer, but shall Summon every person Named in such Mandate, by the Space of six Days at least, before the Time Appointed for such Jury to Appear; and if any Sheriff, Under-sheriff, Bailiff or other Officer, shall Wilfully Transgress in any of the Cases aforesaid, any Court where such Jury is to Appear, the Judge or Justices of Assize or Nisi Prius may and is hereby required on Examination and Proof of such Offence, in a Summary way, to Sett a Fine or Fines upon any person or persons so Offending, as he shall think meet, not exceeding the Sum of Forty Pounds, nor less than Twenty Pounds, according to the Nature of the Offence, to be Estreated into His Majesty's Court of Exchequer in this Kingdom.

And be it further Enacted by the Authority aforesaid, That from and after the first Day of May, in the Year One thousand seven hundred and fifty six, every Sheriff or other Officer to whom the Return of the Venire Facias, or other Process for the Tryal of Causes before Justices of Assize or Nisi Prius, in any County doth or shall Belong, shall upon his Return of every such Writ of Venire Facias (unless in Causes intended to be Tryed at Barr, or in Cases where a Special Jury shall be Struck by Order

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of Court) Annex a Pannel to every such Writ, containing the Christian and Sirnames, Additions and Places of Abode of such Jurors as He, or They shall Return, which Number shall not be less than Thirty six, nor more than sixty, without the Direction of the Judges Appointed to go the Circuit, and to Sit as Judges of Assize or Nisi Prius in such County, or one of them, who are hereby respectively Impowered and Required, if He or They see Cause, by Order under His or Their respective Hand or Hands, to Direct a Greater or Lesser Number, and then such Number as shall be so Directed, shall be the Number to Serve on such Jury; and such Jury so Returned, shall Try all the Issues at that Assizes, and that the Writs of Habeus Corpora, or Distringas, Subsequent to such Writ of Venire Facias, need not have inserted in the Bodies of such respective Writs, the Names of all the Persons contained in such Pannel, but it shall be Sufficient to insert in the Mandatory part of such Writs respectively, the Bodies of the several Persons Named in a Pannel to this Writ annexed, or Words of the like Import, and to Annex to such Writs respectively, Pannels containing the same Names as were Returned in the Pannel to such Venire Facias, with their Additions and their Places of Abode, that the Parties Concerned in any such Tryals may have timely Notice of the Jurors who are to

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Serve thereon, in Order to make their Challenges to them, if there be Cause; and that for making the Returns and Pannels aforesaid, and Annexing the same to their respective Writs, no other Fee or Fees shall be taken, than what are now allowed by Law to be taken for the Return of the like Writs or Pannels annexed to the same; and that the Persons Named in such Panels shall be Summoned to Serve on Juries at the then next Assizes or Sessions of Nisi Prius, for the respective Counties to be Named in such Writs, and no other; any Thing in this or any other Law to the Contrary, notwithstanding.

And be it further Enacted by the Authority aforesaid, That the Name of each and every Person, who shall be Summoned and Impannelled as aforesaid, with his Addition, and the Place of his Abode, shall be Written on several Distinct Pieces of Parchment, or Paper, being all as near as may be of Equal Size and Bigness, and shall be Delivered unto the Clerk of such Judge of Assize or Nisi Prius who is to Try the Causes in the said County, by the Sheriff or Under-Sheriff of the said County, or other Officer, returning the Process, and shall, by the Direction and Care of such Clerk, be Rolled up all as near as may be, in the same Manner, and put together in a Box or Glass to be provided for that Purpose, and when any such Cause shall

be

be brought on to be Tryed, some indifferent Person, by Direction of the Court, May, and Shall, in Open Court, Draw out Twelve of the said Parchments or Papers one after another, and if any of the Persons whose Names shall be so Drawn, shall not Appear, or shall be Challenged and Set aside, then such further Number until Twelve Persons be Drawn who shall Appear, and after all Causes of Challenge shall be allowed as Fair and Indifferent, and the said Twelve Persons so first Drawn, Appearing and Approved of as Indifferent, their Names being Marked in the Pannel, and they being Sworn, shall be the Jury to Try the said Cause, and the Names of the Persons so Drawn and Sworn, shall be kept by themselves, in some Box or Glass, to be kept for that Purpose, till such Jury, have given in their Verdict, and the same is Recorded, or until such Jury shall, by Consent of the Parties, or Leave of the Court, be Discharged, and then the same Names shall be Rolled up again, and returned to the former Box or Glass, there to be kept with the other Names, remaining at that Time Undrawn, and so Toties Quoties, as long as any Cause remains then to be Tryed.

Provided allways, That if any Cause shall be brought on to be Tryed in any of the said Courts respectively, before the Jury in any other Cause shall have brought in

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their Verdict, or be Discharged, it shall and may be Lawful for the Court to Order Twelve of the Residue of the said Parchments or Papers, not containing the Names of any of the Jurors who shall not have so brought in their Verdict, or be Discharged, to be drawn in such Manner, as is aforesaid, for the Tryal of the Cause which shall be brought on to be Tryed.

And be it further Enacted by the Authority aforesaid, That every Person or Persons, whose Name or Names shall be so Drawn as aforesaid, and who shall not Appear, after being openly called three Times, shall, upon Oath made by some Credible Person, that such Person, so making Default, had been Lawfully Summoned, Forfeit and Pay, for every Default in not Appearing upon Call as aforesaid (unless some Reasonable Cause of his Absence be Proved, by Oath or Affidavit, to the Satisfaction of the Judge who sits to Try the said Cause) such Fine or Fines, not exceeding the Sum of Twenty Pounds, and not less than Forty Shillings, as the said Judge shall think Reasonable to Inflict or Impose for such Default; which Fine, so Imposed, the Judges are hereby Required to Estreat into his Majesty's Court of Exchequer.

Provided allways, That where a View shall be allowed in any Cause, That in such

Case

Case, Six of the Jurors who shall be named in such Pannel, or more, who shall be mutually consented to by the parties or their Attornies on both Sides (or if they cannot agree, shall be named by the proper Officer of the respective Courts of King's-Bench, Common-Pleas, or Exchequer, at Dublin, for the Causes in their respective Courts) shall have the View; and such of them as Appear, and shall not be Challenged off, shall be first Sworn upon the Jury to Try the said Cause, before any Drawing as aforesaid, and so many only shall be Drawn, to be Added to the Viewers, who appear and are Sworn, as shall after all Defaults and Challenges allowed, make up the Number of Twelve, to be Sworn for the Tryal of any such Cause. CHAP. VI.

Provided also, And be it Declared and Enacted by the Authority aforesaid, That whensoever it shall Happen that a Jury, for the Tryal of any Issue or Issues by Nisi Prius, shall not be Returned by the Sheriff or Sheriffs, but shall be Returned by the Coroner, or Coroners, or other Officer or Officers legally Appointed, That such Coroner or Coroners, Officer or Officers shall Return the same Number of Jurors, and Under the same Qualifications as the Sheriff by Law is Bound to do, and the Jurors, so Returned, shall be Balloted for in the same Manner.

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And whereas, notwithstanding the Provision Made in this Act to Compel Jurors to Appear, it may happen that a Sufficient Number of the Jurors Returned may not Appear after legal Challenges;

Be it Enacted by the Authority aforesaid, That a Tales may be Granted, and Returned as hath been heretofore used and Accustomed; any Thing herein Contained to the Contrary thereof, in any Wise, notwithstanding.

And whereas for Tryals of Causes upon Writs of Nisi Prius, the Sheriffs do Return a Competent Number of Jurors, but it often Happens that many of the said Causes, which are brought down for Tryal, do not go on to be Tryed, at the first Assizes, but are brought down again to be Tryed at some other Subsequent Assizes, whereby the Jurors Returned to Try such Causes, are Compelled to Attend at several Assizes for Tryal of one and the same Cause, to their very Great Expence and Trouble;

Be it further Enacted by the Authority aforesaid, That if at any Time after the Commencement of this Act, any Plaintiff or Demandant, in any Cause between Party and Party, Depending in any of the King's Courts at Dublin, which shall be at Issue

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Iſſue, ſhall ſue forth any Writ of Venire Facias, upon which any Writ of Habeas Corpora, or Diſtringas, with a Niſi Prius, ſhall iſſue, in order to the Trial of ſuch Iſſue, at the Aſſizes or the Sittings in the Court of King's-Bench, Common-Pleas, or Exchequer, in, or after Term, for Trial by Niſi Prius; and that ſuch Plaintiff or Demandant ſhall not Proceed to the Trial of ſuch Iſſue, at the ſaid Firſt Aſſizes, or next Sitting in the ſaid Courts, after the Teſt of every ſuch Writ of Habeas Corpora, or Diſtringas, with a Niſi Prius, then, and in all ſuch Caſes, other than where Views by Jurors ſhall be Directed, the Plaintiff or Demandant, whenſoever he or She ſhall think fit to Try ſuch Iſſue at any other Aſſizes or Sitting in the ſaid Courts, ſhall Sue forth, and Proſecute a new Writ of Venire Facias, Directed to the Sheriff, or other Returning-Officer; which Writ being duly Returned and Filed, a Writ of Habeas Corpora, or Diſtringas, with a Niſi Prius, ſhall iſſue thereupon, for which the ancient and accuſtomed Fees ſhall be Taken, and no more, as in the Caſe of the Pluries, Habeas Corpora, or Diſtringas, with the Niſi Prius; upon which the Plaintiff or Demandant may Proceed to Trial, as if no former Writ of Venire Facias had been Proſecuted or Filed in that Cauſe, and ſo Toties quoties, as the Caſe ſhall Require.

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And if any Defendant or Tenant, Defendants or Tenants, in any Action Depending in any of the said Courts, shall be minded to bring to Trial any Issue joined, when by the Course of any of the said Courts, He, She or They may lawfully do the same by Proviso, such Defendant or Tenant, Defendants or Tenants, shall, or may, the issuable Term next preceding such intended Trial to be had at the next Assizes or Sittings in the said Courts, Sue out a new Venire Facias to the Sheriff, or other Returning-Officer, by Proviso, and Prosecute the same, by Writ of Habeas Corpora, or Distringas, with a Nisi Prius, as though there had not been any former Venire Facias Sued out or Returned in that Cause, and so Toties quoties, as the Matter shall Require.

And be it Enacted and Declared by the Authority aforesaid, That every Writ of Venire Facias, and every Writ of Habeas Corpora, or Distringas, with a Nisi Prius, Sued out and Prosecuted according to the purport and Direction of this Act, and all Trials, Entries, and Proceedings thereupon, shall be Good and Warrantable by Law, and not be erroneous, or be Assigned or Assignable for Error; any former Law or Usage to the Contrary thereof, in any wise, notwithstanding.

Provided

Provided allways, That nothing in this Act contained, shall Extend, or be Construed to Qualify any Person of the Popish Religion to Serve on any Jury, in such Cases, where, by an Act for Explaining and Amending an Act, [Intituled, An Act to Prevent the further Growth of Popery;] Made in the Eighth Year of the Reign of her late Majesty Queen Ann, or by any other Law now in Being, such Persons are rendered Incapable of being Jurors, or to Serve on Juries, or on the Trials of any Issues, or any Action Depending in any of the Courts above-mentioned, where such Action or Suit is Commenced and Carried on by a Protestant against a Papist, or a Papist against a Protestant; in which Cases, it shall and may be Lawful to Challenge any Papist, Returned as a Juror, to Try the Issue in any such Case, and Assign for Cause, that the Person so Returned to Serve, is a Papist, or Reputed Papist; which Challenge, the said Justice, Judge, or Judges, before whom the same is to be Tried, shall Allow, if Proved, and Adjudge the same to be Good and Legal Challenge; any Thing in this Act contained, or in any former Law to the Contrary thereof, in any wise, notwithstanding. CHAP. VI.

And be it further Enacted by the Authority aforesaid, That all Trials on Appeals

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peals of Murder or Felony, shall be by Jurors Returned by the Sheriff, or other proper Officer, according to the Rules of the Common Law; any Thing herein to to the Contrary, in any wise, notwithstanding.

And be it further Enacted by the Authority aforesaid, That this Act shall Continue, and be in force, until the First Day of May, One thousand seven hundred and fifty eight, and to the End of the then next Session of Parliament, and no longer.

CHAP. VII.

AN

ACT

FOR

Amending an Act Paſſed in the Twelfth Year of the Reign of His late Majeſty King *George* the Firſt, Intituled, *An Act for the more Effectual Erecting and better Regulating of Free-Schools, and for Rebuilding and Repairing of Churches.*

G. II. R.

DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street.* M.DCC.LVI.

CHAP. VII.

AN

ACT

FOR

Amending an Act Passed in the Twelfth Year of the Reign of His late Majesty King George the Fifth, Intituled An Act for the more Effectual Erecting and better Regulating of Free-Schools, and for Rebuilding and Repairing of Churches.

G. R.

DUBLIN:

Printed by the Executor of George Grierson, Printer to the King's Most Excellent Majesty, at the King's-Arms and Two Bibles in Essex-Street. M.DCC.LVI.

AN

ACT

FOR

Amending an Act Paſſed in the Twelfth Year of the Reign of His late Majeſty King *George* the Firſt, Intituled, *An Act for the more Effectual Erecting and better Regulating of Free-Schools, and for Rebuilding and Repairing of Churches.*

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CHAP. VII.

WHEREAS by an Act of Parliament Made in the Twelfth Year of His late Majeſty King George the Firſt, [Intituled, An Act for the more Effectual Erecting and better Regulating of Free-Schools, and for Rebuilding and Repairing of Churches;] it is among other Things Enacted, That from and after Appointment of a Place for a Free-School within any Dioceſe, it ſhall and may be Lawful for the Grand-Jury of each County, from Time

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to Time, to present such Sum or Sums of Money as they shall find Reasonable to be Levied, for their respective Proportion, towards the Rebuilding or Repairing such Diocese-School; which Sum and Sums so Presented, the Presentment being Confirmed by the Court, shall be Levied upon the Whole, or such Part of the said County, as shall be situate in each respective Diocese, in such Manner as other publick Money is Levied, upon Presentments made by Grand-Juries.

And Whereas several Dioceses in this Kingdom consist of parts of several Counties, and it is found by Experience impracticable, when the Sum is small, to Levy such proportionable Presentments as are Required by the said recited Act;

And Whereas the Repairs annually Amount to an inconsiderable Sum, and the whole County Receives Benefit from having the Diocese-School situate within it;

Be it therefore Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the Same, That from and after the First Day of February, which will be in the Year One thousand seven hundred and fifty seven, the Grand-Jury of each County, Wherein

wherein a Diocese-School is situate, may, from Time to Time, at the Assizes to be Held for said County, Present such Sum or Sums of Money, as they shall find reasonable, for the Repairs of the said School; which Sum or Sums so Presented (the Presentment being Confirmed by the Court) shall be Levied upon the County at large, in such Manner as other Publick Money is Levied, upon Presentments made by Grand-Juries. CHAP. VII.

CHAP. VIII.

AN

ACT

FOR

Continuing and Reviving Several Temporary Statutes; and for Amending and Explaining an Act Made in the eighth Year of His Late Majesty's Reign, Continued and Amended by an Act Made in the Twenty first Year of His Present Majesty's Reign, Intituled, *An Act for the further Amendment of the Law, in Relation to Butter and Tallow, Casks, Hides, and other Commodities of this Kingdom; and for Preventing the Destruction of Salmon.*

DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Most Excellent Majesty, at the *King's Arms* and *Two Bibles* in *Essex-Street*. MDCCLVI.

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AN

ACT

FOR

Continuing and Reviving Several Temporary Statutes; and for Amending and Explaining an Act Made in the eighth Year of His Late Majesty's Reign, Continued and Amended by an Act Made in the Twenty-first Year of His Present Majesty's Reign, Intituled, An Act for the further Advancement of the Law, in Relation to Butter and Tallow, Casks, Firkins, and other Commodities of this Kingdom; and for Preventing the Deflruction of Salmon.

DUBLIN:

Printed by the Executor of GEORGE ASHAM GRIERSON, Printer to the King's Most Excellent Majesty, at the King's Arms and Two Bibles in Eyre-Street, MDCCLVI.

AN

ACT

FOR

Continuing and Reviving Several Temporary Statutes; and for Amending and Explaining an Act Made in the Eighth Year of His late Majesty's Reign, Continued and Amended by An Act Made in the Twenty first Year of His Present Majesty's Reign, Intituled, *An Act for the further Amendment of the Law, in Relation to Butter and Tallow, Casks, Hides, and other Commodities of this Kingdom; and for Preventing the Destruction of Salmon.*

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WHEREAS An Act passed in this Kingdom, in the Second Year of the Reign of her late Majesty Queen Ann, [Intituled, An Act for the Exchange of Glebes belonging to Churches in this Kingdom;] which Act was Made to Continue for Twenty one Years, and no longer,

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and was Revived and Continued by an Act for Continuing Several Temporary Statutes Made in this Kingdom, in the Tenth Year of the Reign of King George the First, and to be in full Force to the first Day of September, which should be in the Year of Our Lord, One thousand seven hundred and Thirty one, and from thence, to the End of the then next Session of Parliament, and no longer; and was afterwards Revived, Continued and Amended by an Act [Intituled, An Act for Continuing Several Temporary Statutes;] Made in this Kingdom, and now near Expiring, and for the Amending of the Statutes therein Mentioned, Passed in the Fifth Year of His Present Majesty's Reign, for the Space of Twenty one Years, from the End of the said Sessions of Parliament, and to the End of the next Session of Parliament, after the Expiration of the said Twenty one Years; which said Act, and the Amendment thereof by the said last Recited Act, were Continued by an Act for Continuing Several Temporary Statues, Made in this Kingdom, in the Twenty third Year of His Present Majesty's Reign, for the Space of Four Years, from the End of the said Session of Parliament, and to the End of the next Session of Parliament after the Expiration of the said Four Years; which said Act, and the Amendment thereof by the said last Recited Act, are now near Expiring, but being found

found to be Useful, are therefore fit to be Continued. CHAP. VIII.

And therefore, be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the Same, That all and every Clause, Article, and Proviso Contained in the said Act, which Passed in the said Second Year of the Reign of Her late Majesty Queen Anne, and that such parts of the said Act, which Passed in the Fifth Year of His present Majesty's Reign, and every Clause, Article, and Proviso therein Contained, which any way Relate to the aforesaid Act, Passed in the Second Year of the Reign of Her Late Majesty Queen Anne, shall be Continued, and in full Force, as they now stand, to all Intents and Purposes, for the Term of Twenty one Years, and to the End of the then next Session of Parliament, and no longer.

And be it Enacted by the Authority aforesaid, That one Act of Parliament, Made in this Kingdom, in the Second Year of the Reign of His Late Majesty King William the Third, [Intituled, An Act for the better Suppressing of Tories, Robbers, and Rapparees; and for Preventing of Robberies, Burglaries, and other heinous Crimes;] And also, one other

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Act, Made in the Ninth Year of the Reign of His said late Majesty, King William **the Third,** [**Intituled,** An Act to Supply the Defects, and for the better Execution of an Act Passed in the said Session of Parliament, [Intituled, *An Act for the better Suppressing Tories and Rapparees, and for preventing Robberies, Burglaries, and other heinous Crimes*;] **And also one other Act, Made in this Kingdom, in the Sixth Year of the Reign of Her late Majesty Queen** Anne, [**Intituled,** An Act for Explaining, and Amending Two Several Acts against Tories, Robbers, and Rapparees;] **And also, so much of one other Act, Made in this Kingdom, in the Fourth Year of the Reign of His late Majesty King** George **the First,** [**Intituled,** An Act for Reviving, Continuing, and Amending several Statutes Made in this Kingdom, heretofore Temporary;] **As Relates to the Apprehending and Killing Proclaimed Tories or Robbers, so far as the said Acts, or any of them, are not Altered or Changed, by an Act Made in the Sixth Year of His late Majesty King** George **the First,** [**Intituled,** An Act for the Better and more Effectual apprehending, and Transporting of Felons, and others; and for Continuing and Amending several Laws Made in this Kingdom, for Suppressing Tories, Robbers and Rapparees;] **And also, one other Act, Made in this Kingdom, in the Eighth Year of the Reign of His said late Majesty, King** George **the First,** [**Intituled,** An Act, for Amending an Act, Intituled, *An Act for the Better and more Effectual*

tual Apprehending and Tranſporting Felons, and others, and for Continuing and Amending ſeveral Laws, Made in this Kingdom, for ſuppreſſing Tories, Robbers and Rapparees, and alſo to Prevent the Liſting of His Majeſty's Subjects, to Serve as Soldiers in Foreign Service, without His Majeſty's Licence;] And alſo, ſo much of one other Act Made in the Third Year of the Reign of His preſent Majeſty, [Intituled, An Act for the more Effectual Preventing, and further Puniſhment, of Forgery, Perjury, and Subornation of Perjury; and to make it Felony to Steal Bonds, Notes or other Securities for Payment of Money; and for the more Effectual Tranſporting Felons, Vagabonds and others;] And alſo, ſo much of one other Act Made, in the Ninth Year of the Reign of His preſent Majeſty, [Intituled, An Act for Continuing and Amending ſeveral Statutes now near Expiring;] As alters or adds to any of the aforeſaid Acts, and all and every the Powers, Proviſoes and Penalties in the ſaid reſpective Acts Contained; together with the Alterations and Additions made in, and by the ſaid Act, Made in the Ninth Year of the Reign of His preſent Majeſty, ſhall Continue, and be in full Force and Effect from the End of this preſent Seſſion of Parliament, for the Term of Twenty one Years, and from the Expiration of the ſaid Term of Twenty one Years, to the End of the then next Seſſion of Parliament.

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And be it further Enacted by the Authority aforesaid, That an Act of Parliament, Made in this Kingdom, in the Tenth Year of the Reign of His late Majesty King George the First, [Intituled, An Act, for Continuing and Amending an Act, Intituled, *An Act for the better Regulating the Parish Watches; and Amending the High-ways in this Kingdom; and for the Preventing the Misapplication of Publick Money; and also, for the Establishing a regular Watch in the City of* Dublin; *and to prevent Mischiefs which may happen by Graving Ships in the River* Liffee;] which for so much as relates to the City of Dublin, and the Liberties thereof, and the Liberties thereunto Adjoining, was Continued by an Act, Made in the Eleventh Year of the Reign of His Present Majesty, [Intituled, An Act for Reviving, Continuing, Explaining and Amending several Temporary Statutes, and for other Purposes therein mentioned;] until the Twenty ninth Day of September, in the Year One thousand seven hundred and forty four, and from thence to the End of the then next Session of Parliament; And was further Continued by an Act, passed in the Nineteenth Year of His Present Majesty's Reign, [Intituled An Act for Reviving, and Continuing several Temporary Statutes;] until the Twenty ninth Day of September, One thousand, seven hundred and forty six, and to the End of the then next Session of Parliament; And was further Continued by an Act passed in the Twenty first

fifth Year of his preſent Majeſty's Reign, [Intituled, An Act for Reviving, Continuing and Amending ſeveral Temporary Statutes;] until the Twenty ninth Day of September, One thouſand ſeven hundred and forty nine, and to the End of the then next Seſſion of Parliament; And further Continued by an Act paſſed in this Kingdom, in the Twenty third Year of the Reign of his preſent Majeſty, [Intituled, An Act for Continuing ſeveral Temporary Statutes;] for the Space of four Years longer, and to the End of the then next Seſſion of Parliament; Do, and ſhall Be, Remain, and Continue, ſo far as the ſame Relates to Patrol Watches, and High-Ways in this Kingdom, in full Force for the Space of four Years, from the End of this preſent Seſſion of Parliament, and to the End of the next Seſſion of Parliament, after the Expiration of the ſaid Term of four Years.

And whereas an Act paſſed in the Fourth Year of the Reign of his Late Majeſty King George, [Intituled, An Act for Veſting in His Majeſty, His Heirs and Succeſſors, the ſeveral Lands, Tenements and Hereditaments, whereon the Barracks in this Kingdom are Built, or Building, or Contracted for; and whereon Light-houſes are or ſhall be Built; and for making reaſonable Satisfaction to the ſeveral Owners and Proprietors for the ſame;] And whereas, for Amending an Act Made in the Sixth Year of her Late Majeſty's Reign, [Intituled,

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An Act to Prevent the Disorders that may happen by the Marching of Soldiers, and for Providing Carriages for the Baggage of Soldiers in their March;] which said Act, in respect of the powers which are given thereby to the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom, for the Time being, to Issue Commissions under the Great-Seal of this Kingdom, and of divers other powers, Authorities, Regulations and Provisions, concerning Barracks and Light-houses, and the Building and Erecting the same, and the Lands whereon the same should be Built; and the making Contracts for such Lands, and giving Recompence to the Owners, having been, by Experience, found useful; was by an Act Passed in this Kingdom in the Tenth Year of the Reign of His said Late Majesty King George the First; and by another Act Passed in the Third Year of His Present Majesty's Reign, continued in Force until the Twenty fifth Day of December, One thousand seven hundred and Thirty seven, and from thence to the End of the then next Session of Parliament.

And Whereas the said Act, so far as Relates to the said powers Continued by the said former Acts, and also so far as Relates to one other Clause, Enacted in and by the said Act, Made in the Third Year of His Present Majesty's Reign, whereby Provision is made for Hospitals for the

the ſick Soldiers in His Majeſty's Army, have Anſwered the End Propoſed, and have been Continued by an Act paſſed in the Eleventh Year of His Preſent Majeſty's Reign, [Intituled, An Act for Reviving, Continuing, and Explaining and Amending ſeveral Temporary Statutes, and for other Purpoſes therein Mentioned;] to the Twenty fourth Day of June, One thouſand ſeven hundred and fifty eight, and to the End of the then next Seſſion of Parliament;

Be it Enacted by the Authority aforeſaid, That all the ſaid Powers, Authorities, Regulations, and Proviſoes, and every Article, Clauſe, and Proviſoe in the ſaid Act, relating to the Barracks and Light-houſes, or either of them; and alſo the Clauſe Relating to Hoſpitals for the ſick Soldiers, mentioned in the Act Made in the Third Year of His Preſent Majeſty's Reign, ſhall be Continued in full Force for the Space of Twenty one Years, from the Twenty fourth Day of June, One thouſand ſeven hundred and fifty eight, and to the End of the next Seſſion of Parliament after the Expiration of the ſaid Twenty one Years.

And be it further Enacted by the Authority aforeſaid, That one Act Made in this Kingdom, in the Second Year of the Reign of His Late Majeſty King George the Firſt, [Intituled, An Act to Make the Militia of this Kingdom more Uſeful;] and every Part of

the said Act, which was not Altered by an Act Made in the Nineteenth Year of the Reign of His Present Majesty, [Intituled, An Act to Continue and Amend an Act Passed in the Second Year of the Reign of His Late Majesty King *George* the First, Intituled, *An Act to make the Militia of this Kingdom more Useful*;] And also, the said Act Made in this Kingdom, in the Nineteenth Year of the Reign of His Present Majesty, [Intituled, An Act to Continue and Amend an Act Passed in the Second Year of the Reign of His Late Majesty King *George* the First, Intituled, *An Act to make the Militia of this Kingdom more Useful*;] and Continued for the further Term of four Years, by an Act Passed in the Twenty third Year of His Present Majesty's Reign, and for Continuing several Temporary Statutes, Do, and shall Be, Remain, and Continue in full Force for the Space of Ten Years, from the End of this present Session of Parliament, and to the End of the next Session of Parliament after the Expiration of the said Ten Years.

And be it further Enacted by the Authority aforesaid, That an Act of Parliament Made in this Kingdom in the Sixth Year of the Reign of His Late Majesty King George the First, [Intituled, An Act for the more Effectual Preventing the Ingrossing and Regrating of Coals in this Kingdom;] Which Act was to Continue in Force for Seven Years, from the First Day of November, One thou-

sand

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land seven hundred and nineteen, and from thence to the End of the next Session of Parliament; and further Revived and Continued by an Act Passed in this Kingdom, in the Twenty first Year of His present Majesty's Reign, [Intituled, An Act for Reviving, Continuing, and Amending several Temporary Statutes;] for Seven Years, from the First Day of May, One thousand seven hundred and forty eight, and to the End of the then next Session of Parliament, Do, and shall Be, Remain, and Continue in full Force for the Space of Two Years, from the First Day of May next, and from thence to the End of the then next Session of Parliament, and no longer.

And whereas one other Act passed in the Twenty third Year of his said present Majesty's Reign, [Intituled, An Act for Continuing and Amending an Act Passed in the Tenth Year of the Reign of His Late Majesty King *George* the First, [Intituled *An Act for Regulating Abuses, Committed in Buying and Selling of Cattle, and Sheep, in the several Markets in this Kingdom*;] now near Expiring, is by Experience found to be Useful;

Be it Enacted by the Authority aforesaid, That the said Act of the Twenty third Year of his present Majesty's Reign, and the said Act therein Recited, and as therein and thereby Amended, or Altered, be and are hereby made Perpetual.

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And be it also Enacted by the Authority aforesaid, That an Act, [Intituled, An Act for the more Speedy and Effectual Repair of Bridges throughout the several Counties of this Kingdom;] and further Continued by an Act passed in the Thirteenth Year of his Present Majesty's Reign, shall be and Continue in full Force to the End of this Present Session of Parliament, and for the Space of Sixteen Years, from the Expiration of the then next Session of Parliament.

And be it Enacted by the Authority aforesaid, That an Act Made in this Kingdom, in the Eleventh Year of his Present Majesty's Reign, [Intituled, An Act for the more Effectual Preventing and further Punishment of Forgery, Perjury, and Subornation of Perjury; and to Make it Felony, to Steal Bonds, Notes, or other Securities for Payment of Money; and for the more Effectual Transporting Felons, Vagabonds and others;] passed in the Third Year of his Present Majesty's Reign; and by an Act for Continuing several Temporary Statutes, and for other Purposes therein Mentioned, passed in the Seventh Year of his Present Majesty's Reign, Continued to the Twenty fifth Day of March, One thousand seven hundred and forty, and to the End of the then next Session of Parliament; and afterwards, by an Act, for Continuing several Statutes passed in the Thirteenth Year of his Present Majesty,

Continued

Continued to the Twenty fifth Day of March, which ſhould be in the Year of our Lord One thouſand ſeven hundred and Fifty ſeven, and from thence to the End of the then next Seſſion of Parliament; and alſo, one other Act Made in the Seventeenth Year of his preſent Majeſty's Reign, [Intituled, An Act for the Amendment of the Law in Relation to Forgery; and the Salvage of Ships and Goods Stranded;] ſo far as the ſame Relates to the taking away the Benefit of Clergy, in the Caſes Relating to Forgery, therein Mentioned, ſhall be and are hereby reſpectively Continued in full Force, for the Space of Twenty one Years, after the ſaid Twenty fifth Day of March, One thouſand ſeven hundred and Fifty ſeven, and to the End of the next Seſſion of Parliament, next after the Expiration of ſaid Term of Twenty one Years.

Be it alſo Enacted by the Authority aforeſaid, That an Act of Parliament, paſſed in this Kingdom, in the Ninth Year of his preſent Majeſty, [Intituled, An Act for the more Effectual Aſſigning of Judgments, and for the more Speedy Recovery of Rents, by Diſtreſs;] and which by Subſequent Acts, has Continued to the Year, One thouſand ſeven hundred and Fifty five, ſhall be Continued and Remain in full Force, ſo far as it Relates to the Aſſigning of Judgments, for the Space of eleven Years, from the End of this preſent Seſſion of Parliament, and to

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the End of the next Sellion of Parliament, after the Expiration of the laid Term of Eleven Years.

And be it Enacted by the Authority aforesaid, That an Act passed in the Fifteenth Year of His Present Majesty, [Intituled, An Act for the more Effectual Securing the Payment of Rents, and Preventing Frauds by Tenants;] and which by an Act passed in the Seventeenth Year of His Present Majesty, was Continued until the Year One thousand seven hundred and Fifty five, shall be Continued and Remain in full Force, for the Space of Four Years from the End of this present Sellion of Parliament, and to the End of the next Sellion of Parliament, after the Expiration of the laid Term of Four Years.

And be it Enacted by the Authority aforesaid, That an Act Made in this Kingdom, in the Eleventh Year of His Present Majesty, for the further Improvement and Encouragement of the Fishery of this Kingdom, and Continued by an Act Made in the Thirteenth Year of His Present Majesty, to the Twenty fifth Day of March, One thousand seven hundred and fifty seven, and to the End of the then next Sellion of Parliament, shall be Continued and Remain in full Force, for the Space of three Years from the End of this present Sellion of Parliament, and to the End of the next

Sellion

Seſſion of Parliament, after the Expiration of the ſaid Term of three Years. CHAP. VIII.

And whereas an Act paſſed in the Twenty fifth Year of the Reign of His preſent Majeſty, [Intituled, An Act for the better Adjuſting, and more eaſy Recovery of the Wages of certain Servants; and for the better Regulation of ſuch Servants, and of certain Apprentices; and for the Puniſhment of all ſuch Owners of Coal, and their Agents, as ſhall knowingly Employ and ſet at Work Perſons retained in the Service of other Coal Owners; and alſo, that mutual Debts, between Party and Party, be ſet one againſt the other;] Is fit to be continued, with the Alterations and Amendments herein after mentioned.

Be it Enacted by the Authority aforeſaid, That the ſeveral Complaints, Differences, and Diſputes which by the ſaid Act are Directed to be Heated and Determined by Two, or more ſuch Juſtices of the peace, as in and by the ſaid Act are Deſcribed, ſhall and may be Heared, and Determined by One or more ſuch Juſtice or Juſtices of the peace, which One or more Juſtice or Juſtices of the peace, is, and are hereby Impowered, to make ſuch Orders, and to do all ſuch other Acts as Two or more ſuch Juſtices of the peace are Impowered by the ſaid Act, paſſed in the Twenty fifth Year of His preſent Majeſty's Reign, to Make or Do, with like Liberty of Appeal

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from the Determination, Order, or Warrant of such one or more Justice or Justices of the Peace, as by the said Act is Provided, from the Determination, Order, or Warrant of Two or more such Justices of the Peace; and that the said Act, with the Alterations and Amendments herein Contained, shall and may be Continued to the Twenty fifth Day of March, which shall be in the Year of our Lord One thousand seven hundred and sixty, and from thence to the End of the next Session of Parliament, and no longer.

And whereas great Abuses are Committed in the Cities of Cork, and Waterford, and the Liberties of the said respective Cities, by the Gashing, Slaughtering, and Cutting of Hides, and Calve Skins, in Fleaing the same.

And whereas the Laws now in Force, have not been Sufficient to Prevent the same; Wherefore, for the further Remedy thereof, Be it Enacted by the Authority aforesaid, That from and after the First Day of May, One thousand seven hundred and fifty six, in Case any Green Hide or Hides, Calf Skin, or Calves Skins, which shall be Exposed to Sale in the City of Cork, or the Liberties thereof; or in the City of Waterford, or the Liberties thereof; or which shall be Intended to be Exported from either of the said Cities, or the Liberties of either

either of the ſaid Cities, ſhall Appear to be Impaired by Gaſhing, Flaughtering, or Cutting the ſame, That the Butcher, who ſhall Flea the ſame; and alſo, the Perſon or Perſons who ſhall Expoſe to Sale ſuch Hide or Hides, Calf Skin or Calves Skins, ſhall Forfeit the Penalties herein after mentioned, (that is to ſay,) for each Hide ſo Impaired, Flaughtered, Gaſhed, or Cut, a Sum not exceeding Ten Shillings, nor leſs than one Shilling, and for each Calf Skin, ſo Impaired, Flaughtered, Gaſhed, or Cut, a Sum not Exceeding the Sum of one Shilling; and alſo, the Merchant or other Perſon who ſhall Buy ſuch Hide, or Hides, Calf Skin, or Calves Skins, with Intent to Export the ſame, ſhall Forfeit for each Hide, ſo Impaired, Flaughtered, Gaſhed or Cut, a Sum not Exceeding Ten Shillings, nor leſs than One Shilling, and for each Calf Skin ſo Impaired, Flaughtered, Gaſhed or Cut, the Sum of one Shilling, the ſaid Penalty and Penalties to be Levied and Raiſed by Warrant under the Hand and Seal of the Mayor of the City; or under the Hand and Seal of one of the Juſtices of the Peace for the County of the City where ſuch Offences ſhall be reſpectively Committed, by Diſtreſs and Sale of the Goods of the Offender or Offenders, and the Overplus of the Money ariſing by the Sale of the ſaid Goods (if any be) to be Paid to the Owner or Owners thereof, after the Deduction of

the said Penalty or Penalties, and of the reasonable Charges of Taking the said Distress; and the said Mayor or Justice of the Peace respectively, is hereby Impowered to Enquire into such Offences, and to Determine the same, upon the Oath of one or more Witness or Witnesses, which Oath, such Mayor or Justice of the Peace is hereby Impowered, and Required to Administer; and the Penalties Levied within the County of the said City of Cork, shall be Distributed, and Go, one Moiety to the Person or Persons Informing, and the other Moiety to the Governors of the Work-House of the said City of Cork, to be by them applied to the Support and Maintainance of such Foundling Children as now are, or hereafter shall be, Received into the said Work-House, or any other House by them Used, for the Reception of such Foundling Children; and the said Penalties so Levied, within the County of the said City of Waterford, shall go, one Moiety to the Person or Persons Informing, and the other Moiety, to the Poor of the Parish wherein such Offence shall be Committed.

And be it Enacted by the Authority aforesaid, That where any Green Hide or Hides, Calf or Calves Skins, from and after the said first Day of May, One Thousand seven hundred and fifty six, shall be Discovered by the Weigh-Masters

ters or Weigh-Master for the Time being, of the said City of Cork, or by the Weigh-Masters or Weigh-Master for the Time being, of the City of Waterford, or by any of the said Weigh-Masters, or by their, or any of their Deputies or Deputy, to be Impaired, by Gashing, Slaughtering, or Cutting the same; That it shall and may be Lawful, to and for the said Weigh-Masters or any of Them, Their, or any of Their Deputies or Deputy, to Keep and Detain the Hide or Hides, Calf Skin or Calves Skins, so Impaired, until the Penalty or Penalties, to which the Person or Persons Exposing the same to Sale are hereby liable to, be Levied and Raised, and afterwards to Cut the said Hide or Hides, Calf Skin or Calves Skins, quite through the middle thereof, in order to prevent the same from being Exported. CHAP. VIII.

And be it also Enacted by the Authority aforesaid, That whenever any Hide or Hides, Calf Skin or Calves Skins, shall be Seized for being Impaired by Gashing, Slaughtering or Cutting, or shall be brought for Tryal before the Mayor of the City, or Justices of the Peace for the County of the City where such Offences shall be respectively Committed, or shall be Kept and Detained as aforesaid, for Non-payment of the Penalty or Penalties, or whenever any Distress shall be taken for the said Penalty or Penalties,

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nalties, no Replevin shall lie: But the Judgment of such Mayor or Justice shall be Final and Conclusive. And if any person or persons shall be Sued, Molested, or Troubled for putting into Execution any of the Powers herein Contained, or for doing any Matter or Thing pursuant hereto, such person or persons, shall and may plead the General Issue, and give the Special Matter in Evidence, and if the Plaintiff or Plaintiffs shall be Non Suited, or Judgment be given against Him or Them by Default, or upon Demurrer or a Verdict shall pass for the Defendant, such Defendant shall have his, her or Their treble Costs, to be Recovered in such Manner, as where by Law Costs are given to Defendants.

And whereas by an Act Made in the Twenty first Year of the Reign of His Present Majesty, [Intituled, An Act for Reviving Continuing and Amending several Temporary Statutes;] one Moiety of the Forfeitures and Penalties thereby Imposed, is Directed to go to the Governors of the Work-house of the City of Cork, to be by Them Applyed to the Support and Maintenance of such Foundling Children, as then were, or thereafter should be Received into the said Work-house, or any other House by Them Used, for the Reception of such Foundling Children:

And

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And whereas a Doubt hath been Conceived, Whether such Proportion of the Penalties and Forfeitures Imposed by the several Laws then in Force, in Relation to Butter and Tallow, and the Casks in which such Goods are to be Made up, and in Relation to the Curing of Hides, and Making up of Beef and Pork for Exportation, as by the said Laws is Directed to go to the Poor of the Parish, or to the Poor was intended by the said Act, Made in the Twenty first Year of the Reign of his present Majesty, to go to the Governors of the Work-house of the said City, to be by Them Applyed to the Support and Maintenance of such Foundling Children: For the Clearing up which Doubt;

Be it Enacted and Declared by the Authority aforesaid, to be the Intent and Meaning of the said Act, Made in the Twenty first Year of the Reign of his present Majesty, That such Proportion of the Penalties and Forfeitures Imposed by the several Laws then in Force, in Relation to Butter and Tallow, and the Casks in which such Goods are to be Made up, and in Relation to the Curing of Hides, and Making up of Beef and Pork for Exportation, as by the said Laws, or any of them, is Directed to go, either to the Poor of the Parish, in the City of Cork, or to the Poor of the City of Cork, should go to the Gover-

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nors of the Work-house of the said City of Cork, to be by Them Applied to the Support and Maintenance of such Foundling Childzen.

Provided that nothing herein Contained shall Extend or be Construed to Extend, to take away from the Informer, or Seizer, such Proportion of the Penalties and Forfeitures Imposed by the said Laws, or any of Them, as by the said Laws or any of Them, is Directed to go to such Informer or Seizer.

And be it Enacted by the Authority aforesaid, That the several Clauses herein Contained for the Preventing the Impairing, Gashing, Slaughtering, and Cutting of Hides, in the Cities of Cork and Waterford, and the Liberties of the said respective Cities, shall Continue and be in Force During the Continuance of the said Act, Made in the Twenty first Year of His Present Majesty, and no longer; and that the said several Clauses be Considered and taken as Amendments to the said Act.

And whereas an Act passed in this Kingdom, in the Twenty fifth Year of the Reign of His Present Majesty, [Intituled, An Act for the better Preservation of the Game;] hath by Experience been found Useful and fit to be Revived with some Amendments.

And

And whereas by the said Recited Act, it is among other Things Enacted, That no person shall, upon any pretence whatsoever, take with Nets, or otherwise Kill or Destroy, any Partridge from the First Day of February, to the First Day of August, under the Penalty of Forfeiting the Sum of Five Pounds for every Offence, which Forfeiture is by the said Act Directed to be Paid to the Informer.

And whereas the same is by Experience found to be Inconvenient;

Be it Enacted by the Authority aforesaid, That no person shall, upon any pretence whatsoever, take with Nets, or otherwise Kill or Destroy any Partridge, from the First Day of February, to the First Day of September, under the Penalty of Forfeiting the Sum of Five Pounds for every Offence, one Moiety of which Forfeiture shall be Paid to the Informer, and the other Moiety to be paid to the Use of the Poor of the Parish, in which such Offence shall be Committed.

And be it further Enacted by the Authority aforesaid, That the said Recited Act, of the Twenty fifth Year of his present Majesty, Except such part thereof as is hereby Altered, shall Continue and be in Force, for the Term of Two Years, and from thence to the End of the then next Session of Parliament, and no longer.

CHAP. IX.

AN

ACT

For the Further

ENCOURAGEMENT

OF

TILLAGE.

G. II. R.

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AN

ACT

For the Further

ENCOURAGEMENT

OF

TILLAGE.

DUBLIN:

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AN ACT FOR THE Further Encouragement of TILLAGE.

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WHEREAS a Liberty of Exporting Grain, under proper Regulations and Encouragement, will be a great Means of promoting Tillage, and thereby preventing the extream Necessity to which the Poor of this Kingdom have been too frequently reduced through Want of Provisions; Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled,

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and by the Authority of the Same, That when Malt, Bear, or Barley, shall not exceed the Price of Twelve Shillings the Quarter, Rye the Price of Fourteen Shillings the Quarter, Wheat the Price of Twenty four Shillings the Quarter, and Oats the Price of Six Shillings the Quarter; every Merchant, or other Person, who shall Put on Ship-board in British or Irish Shipping, the Master and two Thirds of the Mariners at least, being His Majesty's Subjects, any of the said Sorts of Corn and Malt, in any Port within this Kingdom, where the Rates shall not be higher than as before mentioned, with Intent to Export the same beyond the Seas, shall Bring, or cause a Certificate in Writing, under His or Their Hands, Containing the Quantity and Quality of the Corn or Malt so Shipped, to the Collector, or other Person or Persons Appointed, or to be Appointed to Collect the Duties or Rates arising by Customs within any such Port; and upon Proof made of such Certificate, by one or more credible Witness or Witnesses upon Oath, which Oath the said Collector, or other Officer, is hereby Authorized and Required to Administer, as also Annexing an Affidavit to such Certificate, that the said Corn or Malt, is Shipped, with Intent to Export the same; which Affidavit shall be Sworn before the said Collector, or Officer, and upon giving Bond by every such Merchant or other Person, in the Penalty of Double the Value

Value of such Corn or Malt so Shipped, conditioned that the said Corn or Malt (Danger of the Seas excepted) shall be Exported into parts beyond the Seas, and not be again Landed in this Kingdom of Ireland; except in Case the Ship or Ships in which such Corn or Malt shall be on Board, Receive Damage, whereby the Unlading the same becomes necessary, and that in such Case, the said Corn or Malt shall be again, with all convenient Speed, Loaded on Board the said Ship or Ships, or some other Ship or Ships, and Transported, according to the true Intent and Meaning of this Act, every such Merchant or other Person, performing the Requisites aforesaid, shall have, and Receive, from the Collector or Officer of such Port, respectively, instead of the Allowances to be made by Virtue of an Act passed in the Sixth Year of the Reign of Her Late Majesty Queen Anne, [Intituled, An Act for Encouraging the Exportation of Corn;] the Rates, Allowances, or Premiums following, and no more, (that is to say) For every Quarter of Bear, Barley, or Malt, Ground or Unground, One Shilling and Six-pence; For every Quarter of Rye, Ground or Unground, One Shilling and Six-pence; For every Quarter of Wheat, Ground or Unground, Two Shillings; For every Quarter of Oats, Ground or Unground, One Shilling; which said Sum or Sums of Money, respectively, such Collector, or Officer, is hereby Authorized and

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Required to Pay to such Exporter, upon Demand, without Requiring or Taking any Custom, Fee, or Reward, for such Corn, Malt, Meal, or Flour, so Laden, to be Exported, any Law, Statute, or Usage to the Contrary, notwithstanding; and upon Certificate Returned under the Common Seal of the Chief Magistrate in any Place or Places beyond the Seas, or under the Hands and Seals of Two known Merchants of the Place where such Corn, Malt, Meal, or Flour shall be Landed, that the same was there Landed, and the Day, Month, and Year of so Landing the same, or upon Proof by One or more credible Witness or Witnesses, upon Oath, to be Administred as aforesaid, that the said Corn, Malt, Meal, or Flour, so Shipped, was then and there landed, or that the same was Taken by Enemies, or Perished in the Sea, the Examination and Proof thereof being left to the Judgment of such Collector or Officer, such Proof being Made, and Certificate Delivered to the Officer who Took such Bond as aforesaid, the said Bond shall be Delivered to the Exporter, or to His or Her Order, to be Cancelled, without Fee or Reward; And all and every such Sum or Sums of Money as shall have been Paid by such Collector or Officer, in Obedience to this Act, shall be Accepted of in his Accounts, as so much Paid to His Majesty's Use, and He be thereof discharged accordingly.

Provided

Provided allways, And be it hereby Declared and Enacted by the Authority aforesaid, That every Quarter of Barley and Beat, shall Contain Twenty four Stone, every Quarter of Malt, Twenty Stone, every Quarter of Oats, Twenty two Stone, and every Quarter of Wheat and Rye, Forty Stone. CHAP. IX.

And to the End the Rates and Price of Corn and Malt may be Known and Ascertained, for the Guidance and Direction of the said Exporter and Collector, or other Officer, in Receiving the Duties, as well as paying the several Premiums on Exportation, as aforesaid;

Be it Enacted by the Authority aforesaid, That the Grand-Jury of every County within this Kingdom, at every General Quarter-Sessions, shall Enquire, upon Oath, and Present the True Rates and Prices, respectively, of all the said Sorts of Corn and Malt within the several Counties, at the Times of such Quarter-Sessions; which Presentment being Confirmed by the Justices of the Peace, in open Sessions, is to Continue, and be Deemed, and Taken, as the Estimate and Value of such Corn and Malt, in Receiving the Duty, and paying the Premiums on Exportation, until the next General Quarter-Sessions.

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Provided allways, And be it Enacted by the Authority aforesaid, That where any the said Ports shall be in Counties of Cities, or Counties of Towns, it shall and may be Lawful for every Person or Persons to Export thence in Manner aforesaid, the said Corn, Malt, Meal, and Flour, at the Prices Ascertained by the Grand-Juries of the Counties of Cities and Counties of Towns, respectively.

Provided allways, And be it Enacted by the Authority aforesaid, That the Clerks of the Peace of the said Counties, respectively, where such Presentments shall be Made and Confirmed, do, in Fourteen Days after Confirming thereof, Transmit to the Commissioners of His Majesty's Revenue in Dublin, True and Exact Copies, under their Hands and Seals, respectively, of such Presentments, from Time to Time; And if any Clerk of the Peace shall Neglect so to do, he shall Forfeit to His Majesty, His Heirs and Successors, for every such Neglect, the Sum of Twenty Pounds, being thereof Convicted by Indictment at the Assizes in the County where he is, or was Clerk of the Peace, at the Time of Confirming such Presentment.

AN

CHAP. X.

AN

ACT

FOR

Amending an Act Paſſed in the Twenty fifth Year of His Preſent Majeſty's Reign, *Intituled, An Act for Amending An Act*, Intituled, *An Act for Encouragement of Tillage, and better Employment of the Poor; And alſo, for the more Effectual putting in Execution an Act*, Intituled, An Act to Encourage the Draining and Improving of Boggs and unprofitable Low Grounds, and for Eaſing and Diſpatching the Inland Carriage and Conveyance of Goods from one Part to another in this Kingdom; *And alſo, for laying ſeveral Duties upon Coaches, Berlins, Chariots, Calaſhes, Chaiſes and Chairs, and upon Cards and Dice, and upon Wrought and Manufactured Gold and Silver Plate, Imported into, or Made in* Ireland, *for the Purpoſes therein Mentioned; And alſo, for Repealing the Duties Payable upon the Exportation of Wool, Bay-Yarn, and Woollen-Yarn, out of this Kingdom for* England.

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AN

ACT

FOR

Amending an Act passed in the Twenty fifth Year of His Present Majesty's Reign, intituled, An Act for Encouragement of Tillage, and better Employment of the Poor; And also, for the more effectual putting in Execution an Act, intituled, An Act to Encourage the Draining and Improving of Bogs and unprofitable Low Grounds, and for Taking and Dispersing the Inland Carriage and Conveyance of Goods from one Part to another in this Kingdom; And also, for laying Several Duties upon Candles, Berlin, Chandlers, Candlers, Chaffer and Chimney, and upon Curds and Dutch, and upon Brandy and Manufactured Gold and Silver Plate, Exported from, or Made in Ireland, for the Encouragement thereof; And also, for Repealing the Duties Payable upon the Exportation of Wool, Woolen-Yarn and Woollen-Manufactures of this Kingdom for England.

DUBLIN:

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AN ACT FOR

Amending an Act Paſſed in the Twenty fifth Year of His Preſent Majeſty's Reign, Intituled, *An Act for Amending an Act*, Intituled, *An Act for Encouragement of Tillage, and better Employment of the Poor; And alſo, for the more Effectual putting in Execution an Act*, Intituled, An Act to Encourage the Draining and Improving of Boggs and Unprofitable Low Grounds, and for Eaſing and Diſpatching the Inland Carriage and Conveyance of Goods from one Part to another in this Kingdom; *And alſo, for laying ſeveral Duties upon Coaches, Berlins, Chariots, Calaſhes, Chaiſes and Chairs, and upon Cards and Dice, and upon Wrought and Manufactured Gold and Silver Plate, Imported into, or Made in* Ireland, *for the Purpoſes therein Mentioned; And alſo, for Repealing the Duties Payable upon the Exportation of Wool, Bay-Yarn, and Woollen-Yarn, out of this Kingdom for* England.

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WHEREAS by an Act Made in the Second Year of the Reign of His Late Majeſty King George, I the

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the First, [Intituled, An Act, to Encourage the Draining and Improving of Boggs, and Unprofitable low Grounds, and for Easing and Dispatching the Inland Carriage and Conveyance of Goods from one part to another within this Kingdom;] It is among other Things Enacted, That upon Payment of such Sum or Sums, Agreed on, or Assessed to the Parties concerned, or tender thereof, in such Manner, as in and by the said Act Directed, That it shall then, and not before, be Lawful to and for the Undertakers in the said Act mentioned, to Remove, Dig, Cut, or Use so much of the Lands, Tenements and Hereditaments, for which Satisfaction should be Assessed, or Decreed, and thereon to Make, Erect, or to Do, any Works, Matters, or Things, for the Effecting and Carrying on the Navigation in the said Act mentioned, and maintaining the same, as the said Undertakers, their Heirs or Assigns, or Nominees should think Requisite.

And whereas, it is in and by the said Act likewise, amongst other Things Enacted, That for Settling, Determining, and Adjusting all Matters, about which any Difference might Arise between the Undertakers in the said Act mentioned, and the Proprietors of any Lands, Tenements, or Hereditaments which should be Cut, or otherwise made Use of, for the carrying on any

any Inland Navigation, the Commiſſioners by the ſaid Act Appointed, or any Seven or more of them, were thereby Impowered to Settle and Determine what Satisfaction every ſuch Perſon or Perſons, Bodies Politick, or Corporate, ſhould have for ſuch Proportion, of his, her, or their Lands, Tenements or Hereditaments as ſhould be Cut, Digged, or Removed, or made Uſe of, and the Damage that ſhould thereby be Suſtained, in the Manner in the ſaid Act mentioned.

And whereas, by an Act Made in the Third Year of his preſent Majeſty's Reign, [Intituled, An Act for the Encouragement of Tillage, and better Employment of the Poor; And alſo, for the more Effectual putting in Execution An Act, Intituled, *An Act to Encourage the Draining, and Improving of Boggs, and unprofitable low Grounds; and for Eaſing and Diſpatching the Inland Carriage and Conveyance of Goods, from one Part to another, within this Kingdom*; And alſo, for laying ſeveral Duties upon Coaches, Berlins, Chariots, Calaſhes, Chaiſes and Chairs; and upon Cards and Dice, and upon Wrought and Manufactured Gold and Silver Plate, Imported into, or Made in *Ireland*, for the Purpoſes therein mentioned; and alſo, for Repealing the Duties Payable upon the Exportation of Wool, Bay-Yarn, and Woollen-Yarn, out of this Kingdom for *England*;] It is amongſt other Things Enacted, that the Commiſſioners by the ſaid

last mentioned Act, Appointed, or to be Appointed in Pursuance thereof, or the Major part of them then present, such Major part, not being less than Eleven, should at all Times thereafter, have Exercise and Use, such and the same, Powers, Liberties, Privileges, Benefits, Advantages, and Authorities in all Things, for the Ends and Purposes in the said Act mentioned, as the Undertakers for the River Shannon, in the said first Recited Act mentioned, their Heirs, Assignees or Nominees, or the Commissioners appointed by the said Acts, or either of Them, or any Seven or other Quorum or Number of them, or the said Undertakers and Commissioners jointly should, might, or ought to have Exercise or Use, by Force, or Virtue of the said Recited Acts, or either of them.

And whereas the Commissioners Named in the said Act of the Third Year of his present Majesty, and such Commissioners as were or should be afterwards Chosen, were, by one other Act in the Twenty fifth Year of his present Majesty, [Intituled, An Act for Amending an Act, Intituled, *An Act for Encouragement of Tillage, and better Employment of the Poor; And also, for the more Effectual putting in Execution an Act, Intituled,* An Act to Encourage the Draining and Improving of Boggs, and Unprofitable low Grounds, and for Easing and Dis-

Dispatching the Inland Carriage and Conveyance of Goods, from one Part to another in this Kingdom; *And also, for laying several Duties upon Coaches, Berlins, Chariots, Calashes, Chaises, and Chairs, and upon Cards and Dice, and upon Wrought and Manufactured Gold and Silver Plate Imported into, or made in* Ireland, *for the Purposes therein Mentioned; And also, for Repealing the Duties Payable upon the Exportation of Wool, Bay-Yarn, and Woollen-Yarn, out of this Kingdom for* England;] amongst other Things, Erected into one Company or Body Corporate, for the Purposes in the said Recited Acts, and in the said Act of the Twenty fifth of his present Majesty mentioned by the Name, Stile, and Title of the Corporation for Promoting and Carrying on an Inland Navigation in Ireland.

And whereas, it was amongst other Things Enacted, by the said Act, Made in the Twenty fifth Year of his present Majesty, That the said Corporation, Eleven or more of them being present, and no other Person or Persons whatsoever, should at all Times afterwards, have full Power and Authority to do all such Acts, and should have, Exercise, and Use, such, and the same Powers, Liberties, Privileges, Benefits, Advantages, and Authorities in all Things, for the Ends and Purposes mentioned in the said Recited Acts, or either of them, or in the said Act, Made in the

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Twenty fifth Year of His present Majesty, as the Undertakers for the River Shannon, in the said First Recited Act mentioned, their Heirs, Assignees, or Nominees, or the Commissioners Appointed by the said Acts, or either of them, or any Seven, or other Quorum, or Number of them, or the Undertakers and the said Commissioners, Jointly, should, might, or ought to have had, Exercised, or Used, by Force or Virtue of the said Recited Acts, or either of them.

And whereas, it is likewise further Enacted, by the said last recited Act, among many other Things, That it should and might be Lawful, to and for the said Corporation, at any Quarterly, or other General Meetings, or Assemblies, Eleven or more of them being present, by Instrument in Writing, under their common Seal, to Authorize and Appoint, Three or more Persons, Commissioners or Members of the said Corporation, to Treat and Agree for and Concerning all Differences and Disputes, which had Arisen, or might afterwards Arise with any Person or Persons, Bodies Corporate or Politick, whose Lands Tenements, or Hereditaments, had been or afterwards might be made Use of, or are so Situate, as to be Useful or Necessary for the better carrying on, and finishing the Canal mentioned in the said Act, or any other Canal, or Work, or in

making

making any Rivers Navigable in any other Part of this Kingdom, in such Manner as the Commissioners by the said Two first Recited Acts, or any Quorum of them, are Impowered and Directed to determine Differences between the Undertakers therein Named, their Heirs, Assignes and Nominees, and the Proprietors of such Lands: Yet so nevertheless, as that no Agreement by them Entered into, should be Final and Conclusive, until laid before the said Corporation, and by them Ratified and Approved of, at one of their Quarterly or other General Meetings or Assemblies, Eleven or more of them being Present; and if the said Three or more Persons so Appointed, or any Three of them, should make no Agreement, or the Agreement if any by them Made, should not be Ratified and Approved of by the said Corporation, in manner before mentioned, That then, and in such Case, it should and might be Lawful, to and for the said Three, or more Persons, to cause a Jury of the County where the Matter in Dispute had arisen, or should or might Arise, or the County adjoining to the Place where the said Dispute did or may Arise as aforesaid, to be Summoned, Impannelled and Sworn, in such manner as by the said first recited Act, is appointed: And that the said Jury so Sworn, should finally Settle and Determine all Differences and Disputes then Depending, or which might afterwards Arise between the said

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Commissioners and Corporation, and any Person or Persons, or Bodies Corporate or Politick, for, or on Account of any Work, then Made, or which should afterwards be Undertaken or Made, in Carrying on or Finishing the said, or any other, Canal or Inland Navigation, pursuant to the said Recited Acts, or any of them, in such Manner, as in and by the said first Recited Act is Directed and Appointed.

And whereas Works are now Carrying on in Pursuance of the said several Recited Acts, in several remote Parts of this Kingdom, and New Works may be hereafter Undertaken in very distant Parts, and it hath been found very difficult to get Three of the Corporation to Meet and Attend to Settle and Determine such Disputes as do Arise, or may hereafter Arise, between the Commissioners and Corporation, and the Proprietors of the Lands through which the Works are now Carrying on, or may hereafter be Carried.

And whereas the said Corporation and the Commissioners by them Appointed, are often Strangers to the Value of Lands, and on that Account not so well Qualified to make Agreements concerning the same, as Persons who live in the Neighbourhood of the Lands through which the same Works are now Carrying on, or may hereafter be Carried:

Be

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Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the Same, That it shall and may be Lawful to and for the said Corporation, at any of their Quarterly, or other General Meetings or Assemblies, Eleven or more of Them being present, by Instrument in Writing, under their Common Seal, to Authorize and Appoint, together with Commissioners as by the said Act is Directed, such other Persons as they shall Judge most apt and proper to Treat and Agree for, and concerning all Differences and Disputes which have Arisen or may Arise, with any Person or Persons, Bodies Corporate or Politick, whose Lands, Tenements, or Hereditaments, have been, or hereafter may be made Use of, or are so Situated as to be Useful or Necessary for the better Carrying on and Finishing any Canal or Work now Carrying on, or any Canal or Work which may be hereafter Undertaken or Carried on, or in making any Rivers or Waters Navigable in any part of this Kingdom, in such Manner as the Commissioners by the said Two first Recited Acts, or the said last Recited Act, or any Quorum of them are Impowered and Directed to Determine Differences between Undertakers in the said Two first Recited

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Acts Named, their Heirs, Assignes, and Nominees, and Commissioners, in the said last Recited Act Named, and the Proprietors of such Lands: And that such Persons as shall be Appointed Commissioners by Virtue of this Act, shall at all Times hereafter Have, Exercise, and Use the same, and the like Powers and Authorities, in all Things, that Commissioners or Members of the said Corporation, Appointed by Virtue of the said Recited Act, Made in the Twenty fifth Year of His Present Majesty's Reign, had, or might, or ought to have had, Exercised or Used, by Force or Virtue of the said Recited Act.

And Whereas it is not easy to Fix the exact Course to be Taken in Making of Works necessary to be Done for Carrying on such Inland Navigation, or the Quantity of Ground to be made Use of, and that it is sometimes found necessary to Deviate from the Lines or Course Marked out, or Agreed on between the Commissioners Appointed for that Purpose, and the Proprietors, which does or may Create Disputes between Them, which may be in a great Measure Prevented by Estimating the Lands to be made Use of by the Square Yard, Perch, or other Square Measure;

Therefore be it Enacted by the Authority aforesaid, That it shall and may be Lawful to and for such Persons as shall be Appointed

pointed Commissioners, by Instrument in Writing, by the said Corporation, under their Common Seal, as herein before, and in the said last Recited Act set forth, to Treat and Agree for, and Value the Lands and Premises which shall be made Use of, or which shall be thought Requisite to be made Use of, for the Purposes aforesaid, according to some certain Square Measure which shall be agreed on between the said Corporation, or Commissioners Appointed by Them for that Purpose, and the Proprietors of the Lands, who must and shall be Paid for the same, in Manner as Directed, in and by the said Act, Made in the Second Year of His Late Majesty King George the First: And in Case the said Commissioners shall not be able to come to any Agreement concerning the same, that then, and in such Case, it shall and may be Lawful to, and for the Jury, who shall be Sworn, to Settle all Differences and Disputes between the said Commissioners and Corporation, and Proprietors, in Manner as in and by the said last Recited Act is Prescribed, to Ascertain, by Their Finding, or Verdict, how much shall be Paid for every Square Yard or Perch, or other certain Quantity which shall be made Use of, and the Amount of the whole Sum to be Paid, as Amends or Satisfaction for the Ground to be made Use of.

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And in Case other or more Ground shall, by the Variation of Lines, or otherwise, be Cut, Dug, or made Use of, than was at first thought Requisite, or was Comprized in such Agreement or Verdict, or Paid for, that then, and in such Case, the said Corporation shall, immediately after the Finishing of the Works, Pay for such more or surplus Lands, made, or to be made Use of, by Them, according to the Rate or Price of the Measure by which the Value was first Estimated, after a fair Allowance and Deduction for such part of the Ground Comprized in said first Agreement, as shall not have been Used for, or Damaged by the said Works, or any of Them.

And whereas by the said Act, of the Second Year of His Late Majesty King George the First, a Power was Vested in the Undertakers for the River Shannon, to Demand and Take Tolls, Rates, or Duties, and in Case of Neglect or Denial of Payment, to Sue for the same, in Manner in the said Act Particularly Mentioned:

And whereas These, with every other Power Vested in the said Undertakers, whereby the herein before mentioned Act of the Third Year of His Present Majesty, Vested in the Commissioners Appointed for putting in Execution an Act, [Intituled, An Act for the Encouragement of Tillage, and better

better Employment of the Poor; And alſo, for the more Effectual Putting in Execution an Act, Intituled, *An Act to Encourage the Draining and Improving of Boggs and unprofitable low Grounds, and for Eaſing and Diſpatching the Inland Carriage and Conveyance of Goods from one Part to another within this Kingdom*; And alſo, for laying ſeveral Duties upon Coaches, Berlins, Chariots, Calaſhes, Chaiſes and Chairs, and upon Cards and Dice, and upon Wrought and Manufactured Gold and Silver Plate, Imported into, or Made in *Ireland*, for the Purpoſes therein mentioned; And alſo, for Repealing the Duties payable upon the Exportation of Wool, Bay-Yarn, and Woollen-Yarn, out of this Kingdom for *England*;] **And have been, by the ſubſequent Acts herein alſo before mentioned, Continued, and are now Veſted in the ſaid Corporation.** CHAP. X.

And whereas the Manner and Meaſure of Impoſing the ſaid Tolls, Rates, or Duties, according to the Number of Miles, or of Towns, without any Diſtinction either of Kinds of Goods, with which Boats or other Veſſels are Loaded; or of the Parts of Canals or Rivers through which they are Navigated, may prove very inconvenient and unequal, in as much as hereby certain Veſſels, with certain Loading, may be ſubjected to greater, and others to leſs Tolls, Rates, or Duties, than in Reaſon and Juſtice they ought to be:

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And whereas it may be in some Cases, much for the Publick Good, to exempt for a Time, or in Perpetuity, Vessels with certain Kinds of Loading, from all Tolls, Rates, or Duties:

And whereas it may be also convenient, and for the Publick Good, to Impose different Tolls, Rates, or Duties, on the same Kinds of Boats and Loadings, on different Canals or Rivers, according to the peculiar Circumstances of each Canal or River, on all which Accounts, it seems scarce possible to Fix and Ascertain by Law, any One Method or Measure of Imposing Tolls, Rates, or Duties, which will be equally Convenient and Equitable in all the Cases here mentioned, and in a Multitude of Others which may Arise, when the Navigation in other and more Rivers is Undertaken and Perfected, to the great Advantage of this Kingdom;

Be it Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the said Corporation, at all Times, to make By-Laws for the Imposing, Regulating and Collecting Tolls, Rates, and Duties, on all and every Canal or River, that hath or have been made, or hereafter may be made Navigable, either in Whole or in Part, in Pursuance of any, or all the herein before mentioned Acts, or any of Them,

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Them, with proper Penalties, for the Breach of all, or any of Them, and to Vary or Change any or all such By-Laws and Penalties, as Occasions shall to Them seem to Require; and that when, and as often as any such By-Laws shall be Made and Ratified, under the Common Seal of the said Corporation, and duly Published on each respective Canal or River so made Navigable; that then, and from thenceforth, They, the said Corporation, and all Officers by Them Employed, shall have all the Powers and Remedies to Enforce the payment of such Tolls, Rates, or Duties, by such By-Laws, or any of Them Imposed, which by any or all the Acts herein before mentioned, were Vested in the Undertakers for the Shannon, or in the Commissioners Appointed for Putting in Execution an Act, [Intituled, An Act for the Encouragement of Tillage, and better Employment of the Poor; And also, for the more Effectual Putting in Execution an Act, Intituled, *An Act to Encourage the Draining and Improving of Boggs and unprofitable low Grounds, and for Easing and Dispatching the Inland Carriage and Conveyance of Goods from one Part to another, within this Kingdom*; And also, for laying several Duties upon Coaches, Berlins, Chariots, Calashes, Chaises and Chairs, and upon Cards and Dice, and upon Wrought and Manufactured Gold and Silver Plate, Imported into, or Made in *Ireland*, for the Purposes therein Mentioned; and also, for Repealing the Duties payable upon the Exportation of Wool, Bay-Yarn, and Woollen-

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Yarn, out of this Kingdom for *England*;] And are now Vested in the said Corporation, with like Remedy of Appeal to all and every Person or Persons, who are, or shall think themselves to be in any Case aggrieved.

Provided allways, That it shall not be in the Power of the said Corporation, to Impose any higher Toll, Rate, or Duty on any Boat, or other Vessel, with any Loading of any Kind whatsoever, than might by the said Act of the Second Year of His Late Majesty King George the First, have been Imposed by the Undertakers for the River Shannon, on any Boats or Vessels Navigating the said River.

Provided also, That such By-Laws and Penalties for the Breach of them, be agreeable to the Laws of this Realm, and be first Approved of, and Signed by the Lord-Chancellor, or Lord-Keeper, or Keepers of the Great-Seal of this Kingdom, and the Three Chief Judges for the Time being, or any Two of Them.

AN

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AN

ACT

FOR

Reviving and Amending an Act Paſſed in the Eleventh Year of His Preſent Majeſty, [Intituled, *An Act for Buying and Selling all Sorts of Corn and Meal, and other Things therein Mentioned, by Weight; and for the more Effectual Preventing the Frauds Committed in the Buying and Selling thereof; and for Regulating the Price and Aſſize of Bread; and for better Regulating the Markets*;] As alſo, one other Act, Made in the Nineteenth Year of His ſaid Majeſty's Reign, [Intituled, *An Act, for Continuing and Amending an Act for Buying and Selling of all Sorts of Corn and Meal, and other Things therein Mentioned, by Weight; and for the more Effectual Preventing the Frauds Committed in the Buying and Selling thereof; and for Regulating the Price and Aſſize of Bread; and for better Regulating the Markets*;] So far as the ſaid Acts relate to the Regulating the Price and Aſſize of Bread, and the better Regulating the Markets.

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AN ACT

FOR

AN

ACT

FOR

Reviving and Amending an Act Paſſed in the Eleventh Year of His Preſent Majeſty, [Intituled, *An Act for Buying and Selling all Sorts of Corn and Meal, and other Things therein Mentioned, by Weight; and for the more Effectual Preventing the Frauds Committed in the Buying and Selling thereof; and for Regulating the Price and Aſſize of Bread; and for better Regulating the Markets*;] As alſo, one other Act, Made in the Nineteenth Year of His ſaid Majeſty's Reign, [Intituled, *An Act for Continuing and Amending an Act for Buying and Selling of all Sorts of Corn and Meal, and other Things therein Mentioned, by Weight; and for the more Effectual Preventing the Frauds Committed in the Buying and Selling thereof; and for Regulating the Price and Aſſize of Bread; and for better Regulating the Markets*;] So far as the ſaid Acts relate to the Regulating the Price and Aſſize of Bread, and the better Regulating the Markets.

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WHEREAS an Act paſſed in this Kingdom, in the Eleventh Year of His Preſent Majeſty's Reign,

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[Intituled, An Act for the Buying and Selling of all Sorts of Corn and Meal, and other Things therein Mentioned, by Weight; and for the more Effectual Preventing the Frauds Committed in the Buying and Selling thereof; and for Regulating the Price and Assize of Bread; and for better Regulating the Markets;] **Which said Act was Continued and Amended by an Act, Made in the Nineteenth Year of his said Majesty's Reign,** [Intituled, An Act for the Buying and Selling of all Sorts of Corn and Meal, and other Things therein Mentioned, by Weight; and for the more Effectual Preventing the Frauds Committed in the Buying and Selling thereof; and for Regulating the Price and Assize of Bread; and for better Regulating the Markets.

And whereas the said Acts are Expired, and the same having been found by Experience to be Useful, so far as the same relate to the Regulating the Price and Assize of Bread, and the better Regulating the Markets, are fit to be Revived with some Alterations, Amendments, and Additions, as by this Act are made Therein, and Thereto:

Be it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the Same, That from and after the

the first Day of May, One thousand seven hundred and fifty six, all and every Merchant and Merchants, Corn Factors and Bakers, Buying or Selling any Corn or Grain, Meal, or Flour, within the City of Dublin, and the Liberties of Saint Sepulcher's, Saint Thomas Court and Donore, shall once every Week, make a Return in Writing to the Lord Mayor and Seneschals respectively, which Return shall be respectively upon Oath; which Oath, the said Lord Mayor and Seneschals, respectively, are hereby Impowered, and Required to Administer, and shall contain the true Quantities of all Corn and Grain, and the Weight thereof, and the Weight of Meal and Flour, by him, her, or them Bought or Sold, or for their Use, or in Trust for them Bought by any other person or persons within the said respective Jurisdictions; as also, the Time when, and the real Prices of such Corn, Meal, and Flour so Bought or Sold, and all and every Allowance, if any for the same, together with the Names of the persons from whom the said Corn, Meal, and Flour shall be Bought, and of the persons to whom the same shall be Sold; which Returns shall every Week be duly Entered in a Book to be kept by the Lord Mayor and Seneschals, respectively, for that purpose, in Order more Effectually to ascertain the middle price of Wheat, for Setting the Assize of Bread Weekly, and if any such Merchant, Factor, or

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or Baker, Buying and Selling, as aforesaid, shall Neglect, or Refuse to make such Return, he, she, or they, so Neglecting or Refusing, shall, for every such Offence, Forfeit the Sum of Forty Shillings, for each Barrel, and so in Proportion for any Greater or other Quantity, so Bought or Sold; which Forfeitures shall be Recovered before the Lord Mayor of the City of Dublin, and the said Seneschals, respectively, within their respective Jurisdictions, upon the Confession of the Parties, or Proof thereof made on Oath, of one or more Witness, or Witnesses, which Oath or Oaths, the said Lord Mayor and Seneschals are hereby respectively Impowered to Administer; and the said Forfeitures shall be Levied by Warrant of the said Lord Mayor and Seneschals, respectively, by Distress and Sale of the Offenders Goods; and the said Forfeitures, so Levied, shall be Paid, one half to the Informer, and the other half to the Minister and Church Wardens of the Parish where the Offence shall be Committed, to be by them Disposed of for the Use of the Charity School, of the Parish, or among the Poor of the Parish, at their Discretion, respectively.

And be it further Enacted by the Authority aforesaid, That from and after the said First Day of May, One thousand seven hundred and fifty six, the said Lord Mayor and Seneschals, respectively, in Striking and Ascertaining the Assize of Bread shall, and they

they are Required, to have Reſpect to the Price of Corn, Meal and Flour ſo Returned, as aforeſaid, as well as to the Price which Corn, Meal and Flour ſhall then bear in the ſeveral Publick Markets, in and about the ſaid City and Liberties.

And whereas it is found Neceſſary to aſcertain the Quanity of Flour Equal to one Quarter of Wheat, and to Enact and Declare, what Quantity of Flour ſhall be deemed Equal to, and Entered in the Place of one Quarter of Wheat;

Be it Enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of May, One thouſand ſeven hundred and fifty ſix, Three hundred and an half Weight of Flour ſhall be deemed Equal to, and be Entered in the Place of one Quarter of Wheat, according to the Price for which the ſaid Quantity of Flour ſhall from Time to Time be Sold.

And whereas it has been Alledged, that the allowance of Nine Shillings on every Quarter of Wheat Granted to the Bakers of the City of Dublin and the Liberties thereof, by the ſaid Act, is not Sufficient to Enable them to Bake, and Make Houſhold Bread:

And whereas further Experiments muſt be made before an Exact Allowance can be aſcertained by Parliament;

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Be it Enacted by the Authority aforesaid, That the Lord Mayor of the City of Dublin, and six of the Aldermen of the said City, and the Seneschals of Saint Sepulcher's, Thomas Court, and Donore, within their respective Liberties, shall, as often as they Judge necessary, during the Continuance of this Act, make such or any further reasonable Allowance to the Bakers, within their respective Liberties, as in their Discretion they shall think fit, on every Quartet of Wheat, Made and Baked into Houshold Bread, in such manner as the former Allowance have been Usually made.

And whereas great Frauds are Committed, and great Losses sustained in the Corn Markets of the City of Dublin, by the Carelessness and Dishonesty of the Porters plying for Hire in the said Corn Market;

Be it Enacted by the Authority aforesaid, That from and after the said First Day of May, One thousand seven hundred and Fifty six, all and every person and persons who ply for Hire as Messengers or Porters, in the said Corn Market of the City of Dublin, shall, and he and they are hereby Required respectively to enter his and their Name and Names in a Book to be kept for that Purpose, by the Clerk of the Market of the said City, and shall also give such Security to the said Lord Mayor of the City of Dublin for his and their faithfull and honest Behaviour, as

the

the Lord Mayor shall Approve of, and when they shall have so Registred their Names, and given such Security, That then, the said Lord Mayor, or some Person by him for that purpose appointed, shall deliver to the said Porters, severally, a Badge or Ticket to be Constantly Worn on their outward Garment, in Publick View, by such Porters, severally, to Denote their being Registred, as aforesaid, on which said Badge or Ticket, there shall be such Marks and Inscriptions, as the said Lord Mayor shall think proper; for each of which said Badges or Tickets that shall be Worn by such Porters, there shall be paid the Sum of Six-pence and no more; And it shall and may be Lawful to and for the said Lord Mayor to ascertain and fix the Wages of every such Porter, and on the Misbehaviour of any such Porter, to take away the said Badge from him: And if any Person or Persons shall Ply for Hire as a Porter, in the said Corn Market, without being Registred and Badged, as aforesaid, or after his said Badge shall be taken from him, as aforesaid, or if any Porter shall wear a Counterfeit Badge or Ticket, that upon Complaint thereof Made to the said Lord Mayor, he, the said Lord Mayor, shall, if he find Sufficient Cause, Commit such Person or Persons, so Offending, to the Common Goal, for any Time not exceeding Ten Days, as the said Lord Mayor shall think Proper.

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And be it further Enacted by the Authority aforesaid, That the said Recited Act of the Eleventh Year of His Present Majesty, and the said Act of the Nineteenth Year of His said Majesty, so far as the said Acts Relate to Regulating the Price and Allize of Bread, and the better Regulating the Markets, as the same are hereby altered; And also, this Present Act shall be, and continue in full Force from the said First Day of May, One thousand seven hundred and fifty six, for the Term of Two Years, and from thence to the End of the then next Session of Parliament and no longer.

AN

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AN ACT TO

Prevent Unlawful Combinations of Tenants, Colliers, Miners, and others; and the ſending of threatning Letters without Names, or with Fictitious Names Subſcribed thereto; and the Malicious Deſtruction of Carriages; and for the more Effectual Puniſhment of Wicked Perſons, who ſhall Maliciouſly Set Fire to Houſes, or Out-Houſes; or to Stacks of Hay, Corn, Straw, or Turff; or to Ships or Boats.

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AN

ACT

TO

Prevent Unlawful Combinations of Persons, Guilds, Mistery and others, and the sending of threatning Letters and Names, or with Inscriptions Names subscribed thereto; and the Malicious Destruction of Carriages; and for the more Effectual Punishment of Wicked Persons, who shall Maliciously Set Fire to Houses, or Out-Houses; or to Stacks of Hay, Corn, Straw, or Turf; or to Ships or Boats.

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AN

ACT

TO

Prevent Unlawful Combinations of Tenants, Colliers, Miners and others; and the ſending of threatning Letters without Names, or with Fictitious Names Subſcribed thereto; and the Malicious Deſtruction of Carriages; and for the more Effectual Puniſhment of Wicked Perſons, who ſhall maliciouſly Set Fire to Houſes or Out-Houſes; or to Stacks of Hay, Corn, Straw, or Turff; or to Ships or Boats.

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FOR the better Prevention of Puniſhment of the Crimes, and Offences herein after mentioned, and for making Compenſation for the Damages which may be Suſtained by the Practice of them, and for bringing the Offenders to Speedy Juſtice;

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Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That all Bonds, Contracts, Covenants or Agreements heretofore Made, or Entered into, or hereafter to be Made or Entered into, by or between any Tenants with Intent to Hinder or Obstruct his, her or their Landlord or Landlords, or the Agent or Bailiff of such Landlord or Landlords, in Setting any Lands, Tenements, or Hereditaments, to the best Advantage; or in Distraining for any Rent, or Arrears of Rent, or by or between any Parishoners for the purpose of Hindering or Obstructing any Rector, Vicar, Lay-Impropriator, or Tythe-Farmer in Drawing any Tythes, or in Setting or Selling any Tythes to the best Advantage, be, and they are hereby Declared to be Illegal, Null, and Void, to all Intents and Purposes.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons, from and after the First Day of May, in the Year of Our Lord One thousand seven hundred and fifty six, shall Make or Enter into any such Bond, Covenant, Contract, or Agreement, as aforesaid, or shall knowingly Write, or Send, or Cause or Procure to be Written or Sent, any Letter without a Name

Name Subſcribed thereto, or Signed with a Fictitious Name, or knowingly ſhall Publiſh, or cauſe to be puliſhed, or ſhall Set up, or cauſe to be Set up, in any Place, any Written or Printed Advertiſement or Paper, thereby Threatening any Violence, Injury, or Damage to the Perſon, or to the Eſtate or Property of any Landlord, Agent, or Receiver, or of any Rector, Vicar, Lay-Impropriator or Tythe-Farmer, or of any Tenant or Pariſhioner, with an Intention to Terrify ſuch Landlord from Setting any Lands, Tenements, or Hereditaments, to the beſt Advantage; or to Terrify any Landlord, Agent, or Receiver, from Diſtraining for any Rent, or Arrears of Rent; or with an Intention to Terrify any Perſon or Perſons from Aſſiſting ſuch Landlord or Receiver in Diſtraining for ſuch Rent, or Arrears of Rent; or with an Intention to Terrify any Rector, Vicar, Lay-Impropriator, or Tythe-Farmer, from Taking any Tythe in Kind, or from Setting or Selling any Tythe to the beſt Advantage, or with an Intention to Terrify any Perſon or Perſons from Aſſiſting ſuch Rector, Vicar, Lay-Impropriator, or Tythe-Farmer, in Drawing, Setting, or Selling any Tythe; or with an Intention to procure or Encourage any unlawful Combination of Tenants, to hinder or Obſtruct his, her, or Their Landlord, or the Agent of ſuch Landlord, in the Setting any Lands, Tenements, or Hereditaments, to

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the best Advantage, or in Distraining for any Rent, or Arrears of Rent; or with an Intention to Procure or Encourage any unlawful Combination of Parishioners, to Hinder or Obstruct any Rector, Vicar, Lay-Impropriator, or Tythe-Farmer, in Drawing any Tythes, or in Setting or Selling any Tythes to the best Advantage: Or if any Person or Persons, from and after the said First Day of May, in the Year of Our Lord One thousand seven hundred and fifty six, shall wilfully or maliciously Destroy, or make Unfit for Use, any Carriage, Cart, Truckle, or Car, or the Harnels, Traces, or other Tackle belonging thereto, Designed, or Intended to be Employed, in Drawing or Carrying any Distrels or Tythes; Every Person so Offending, being Lawfully Convicted, upon the Oath of One or More credible Witnels or Witnesses, before any Two or More Justices of the Peace for the County, City, Town, or Place where such Offence shall be Committed, upon any Information or Prosecution Exhibited or Commenced within Three Kalendar Months after the Offence Committed (which Oaths the said Justices are hereby Impowered and Required to Administer) shall Forfeit and Pay the Sum of Five Pounds, Sterling, One Half thereof to be Given to the Informer, and the other Half to the Poor of the Parish in which such Offence shall be Committed; which said Sum of Five Pounds, Sterling, the said Justices of the Peace are hereby Authorized and Required

quired to Levy, by Iſſuing their Warrant or Warrants, under their Hands and Seals, for Diſtreſs and Sale of the Offenders Goods and Chattels, Returning the Overplus to the Owner; And for Want of ſufficient Diſtreſs, ſuch Offender ſhall, by the Order of ſuch Juſtices, at their Diſcretion, be Committed either to the Houſe of Correction, there to Remain, and be Kept to Hard Labour, or to the Common Goal of ſuch County, City, Town, or Place, as aforeſaid, there to Remain without Bail or Mainprize, for any Time, not exceeding Three Kalendar Months. CHAP. XII.

And be it further Enacted by the Authority aforeſaid, That from and after the ſaid Firſt Day of May, in the Year of our Lord One thouſand ſeven hundred and fifty ſix, if any Perſon or Perſons ſhall wilfully or maliciouſly ſet Fire to any Houſe, Outhouſes, Barn or Stable, or to any Hay, Yard, Stack, or Rick of Corn, Straw, Hay, or Turf, or to any Ship or Boat, although the ſame be not burned; or ſhall be Procuring, Aiding or Aſſiſting in any of the ſaid laſt mentioned Offences; or in the wilful or malicious Killing, Maiming, or Haughing any Horſes, Horned Cattle, or Sheep; Every Perſon ſo Offending, being lawfully Convicted, ſhall be Adjudged Guilty of Felony, and ſhall Suffer Death, as in Caſes of Felony, without Benefit of Clergy.

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Provided allways, That nothing herein Contained, shall Extend, or be Construed to Extend to any Person or Persons, who shall Burn the Turf which shall be Cut on his Landlord's Turbery, without Leave first had and Obtained for Cutting the same.

And be it further Enacted by the Authority aforesaid, That from and after the said First Day of May, in the Year of Our Lord One thousand seven hundred and fifty six, the Inhabitants of every Barony, as well Protestants as Papists, shall make full Satisfaction to all and every Person and Persons, their Executors and Administrators, for the Damage which They shall have Sustained or Suffered, by Killing, Haughing, or Maiming any Horses, Horned Cattle, or Sheep, or by setting Fire to any House, Out-houses, Barn, Stable, Hay-Yard, Stack or Rick of Corn, Hay, Straw, or Turf, or to any Ship or Boat, which shall be Committed or Done by any Offender or Offenders, as aforesaid, in such Barony; and that every Person or Persons, who shall sustain Damages by any of the Felonies aforesaid, shall be, and is, and are hereby Enabled to Sue for, and Recover such, his, her, or Their Damages, the Sum to be Recovered, not exceeding the Sum of Fifty Pounds, against any One or More of the Inhabitants of the said Barony, who

who by this Act shall be made Liable to answer all or any part thereof; and that if such Person or Persons, shall Recover and Obtain Execution against any such Inhabitant or Inhabitants, all other the Inhabitants of the Barony, who by this Act shall be liable to all or any part of the said Damages, shall be Rateably and Proportionably Taxed, for and towards an equal Contribution for the Relief of such Inhabitant or Inhabitants, against whom such Execution shall be had and Levied; which Tax, shall be Made, Levied, and Raised, by such Ways and Means, and in such Manner and Form as has been heretofore Used, for the Levying and raising Money,

Provided nevertheless, That no Person or Persons shall be enabled to Recover any Damages by Virtue of this Act, unless he, she or they, by themselves, or by their Servants, within Two Days after such Damages or Injury done him or them by any such Felony, as aforesaid, shall give Notice of such Felony done and Committed unto some of the Inhabitants of some Town, Village, or Hamlet in the Barony near unto the place where any such Fact shall be Committed; and shall within Four Days after such Notice, give Notice to the High Constable of the said Barony, of the said Offence, and shall also give in his, her or their Examination upon Oath, or the Examination

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upon Oath, of his, her or their Servant or Servants that had the Care of his, her or their Houle, Out-Houles, Corn, Hay, Straw Turf, Ship, Boat, or Cattle, before ſome Juſtice of the Peace, of the County where ſuch Fact ſhall be Committed, Inhabiting within the ſaid Barony where the ſaid Fact ſhall happen to be Committed, or near unto the ſame, whether he, ſhe or they do know the Perſon or Perſons who Committed the ſaid Fact, or any of them; and in ſuch Caſe, ſuch Examinant or Examinants ſhall be bound by Recognizance to Proſecute ſuch Offender or Offenders by Indictment, or otherwiſe, according to the Laws of this Realm.

Provided alſo, And be it further Enacted by the Authority aforeſaid, That when any Felony ſhall be Committed againſt this Act, and any one of the Offenders ſhall be Apprehended, and lawfully Convicted of ſuch Felony at the next Aſſizes, to be held for the County where ſuch Felony was Committed, no Barony nor any Inhabitant thereof, ſhall in any wiſe be Subject or liable to make any Satisfaction to the Party Injured, for the Damages he ſhall have thereby Suſtained; any thing in this Act to the Contrary notwithſtanding.

And for the more Effectual Diſcovery of ſuch Felons,

Be

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Be it Enacted by the Authority aforesaid, That any Person or Persons who shall Discover and Prosecute to Conviction any such Felon, shall be Intitled to a Reward of Ten Pounds, to be Recovered, as aforesaid, against the Inhabitants of the Barony in which such Felony shall be Committed, and if such Discoverer and Prosecutor be a Party Concerned in such Felony, he shall not only be Intitled to the said Reward of Ten Pounds but be Intitled to his Pardon for any Felony before that Time, by him or her Committed against this Act.

And whereas in many of the Collieries and other Mine-Works in this Kingdom, many unlawful Combinations have been entered into by the several Masters, Overseers, Working-Colliers, and other Miners, Employed in the raising of Coals, and other Mines, on various Pretences, and many Frauds and Impositions are daily Practised thereby, against the Owners and Proprietors of such Collieries and other Mines, particularly by such Masters, Overseers, Working, and other Colliers extorting Large Quantities of Coals from such Owners and Proprietors, not warranted by their Artitles or Original Agreements with such Owners and Proprietors:

And whereas, under Colour of such Quantities, so Extorted from the Owners

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or Proprietors, large Quantities of Coals are Embezeled, and Sold by such Masters, Overseers, Working and other Colliers, to the great Loss, and Detriment, not only of the Owners and Proprietors of the Collieries, but of the Publick in General;

Therefore be it Enacted by the Authority aforesaid, That from and after the First Day of May next, no Master, Overseer, Working or other Collier, shall Presume to Sell or Dispose of any Quantity of Coal, Raised or to be Raised in the Colliery he is Employed to Work in, for Money, or any other Consideration, unless such Master, Overseer, Working or other Collier, shall fairly and openly Buy or Purchase the same from the Owner and Proprietor of such Coal, or from the Persons Authorized by him or them to Sell the same; and if any Master, Overseer, Working or other Collier shall so Dispose of, or Sell for Money, or any other Consideration, any Quantity of Coals so Raised, or to be Raised, (Except as aforesaid) that in such Case, such Master, Overseer, Working or other Collier shall Forfeit Six Pence for every Hundred of Coal, he shall so Dispose of, as aforesaid, to the Owner and Proprietor of such Colliery where the same was Raised, together with the Horse and Carriage that shall be Employed in carrying away or Drawing the same:

Provided

Provided such Collier, or any other Person Employed in carrying away or Drawing the same, be Lawfully Convicted thereof, by Oath before any one or more of His Majesty's Justices of the Peace for the County where such Offence is Committed, or where such Coal is Seized, or Taken up; and if any Master, Overseer, Working, or other Collier, or Miner, shall, from and after the Time aforesaid, Enter into any Unlawful Combinations, or shall Refuse to Work, according to the Articles Entered into by him or them respectively with the Owner or Owners, Proprietor or Proprietors of such Colliery or Collieries, Mine or Mines, that in such Case over and above the Penalty Provided by any former Act or Acts of Parliament, such Master, Overseer, Working or other Collier or Colliers, Miner, or Miners, shall Forfeit all such Sum or Sums of Money as shall be Due to him or them, from the Owner or Owners of such Colliery or Collieries, Mine or Mines at the Time of his or their Entering into such Unlawful Combination, and shall also be Committed to the Common Goal, of the County where such Offence is Committed, there to remain for the Space of One Kalendar Month, without Bail or Mainprize. CHAP. XII.

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Provided such Master, Overseer, Working or other Collier or Miner, be Lawfully Convicted of such Offence, on Oath, before one or more of his Majesty's Justices of the Peace, of the County where such Offence is Committed, or where such Offender is found.

Provided allways, And be it further Enacted by the Authority aforesaid, That this Act shall continue in Force until the first Day of May, which will be in the Year of Our Lord, One thousand seven hundred and sixty two, and from thence to the End of the then next Session of Parliament, and no longer.

AN

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AN

ACT

FOR

Making more Effectual the ſeveral Acts Paſſed for Repairing and Amending the Streets and High-ways in and about the City of *Dublin*.

DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's Arms* and *Two Bibles* in *Eſſex-Street*. MDCCLVI.

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AN

ACT

FOR

[illegible] more effectual the several Rules for Regulating and Amending the Ways and High-ways in and about the City of Dublin.

DUBLIN:

Printed by the Executor of GEORGE ANSLEY GRIFFITH, Printer to the King's Most Excellent Majesty, at the Sign of the Bible and Two Crowns in Dame-Street. MDCCLVI.

AN ACT FOR

Making more Effectual the ſeveral Acts Paſſed for Repairing and Amending the Streets and High-ways in and about the City of *Dublin*.

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CHAP. XIII.

WHEREAS diverſ Acts of Parliament have been Made for the better Paving, Repairing, and Amending the Streets and High-ways, in and about the City of Dublin, which have hitherto proved ineffectual, and the ſame have, from Time to Time, become more Ruinous, notwithſtanding the great Expence the Inhabitants of the ſaid City and County of Dublin are annually put to, in Repairing the ſame, to the great Decay and Prejudice of the Trade and Commerce of the ſaid City and County, and to this Kingdom in General.

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And whereas one great Cause of the Decay of the said Streets, Pavements, and publick High-ways, is Occasioned by the heavy Carriages Drawn by two or more Horses, of late Years greatly made Use of, in and about the said City, and the very narrow Fellies of the Wheels of the same;

For Prevention of which, Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the Same, That from and after the Twenty ninth Day of September, One thousand seven hundred and fifty seven, no Cart or Waggon, having the Fellies of the Wheels thereof of a less Breadth or Gage than Seven Inches, when worn, from Side to Side, at the Soal or Bottom of the Wheel, shall Go, or be Drawn with more than One Horse, or Beast of Draught, in, or through any of the Streets or Lanes in the said City of Dublin, or Suburbs thereof, or Liberties thereunto Adjoining; or in or through any of the High-ways or Roads in the County of the said City, or County of Dublin, within Seven Miles of the said City, to be Computed from the Tholsel of the said City, and at the Rate of Two thousand two hundred and forty Yards to the Mile; And that every Owner or Driver of such Cart or Waggon,

gon not having the Fellies of the Wheels thereof the Breadth or Gage of Seven Inches, when worn, from Side to Side, at the least, at the Soal or Bottom of the Wheel, with more than one Horse, or Beast of Draught, shall Forfeit and Lose all such Horses or Beasts of Draught, except the Shaft Horse or Beast of Draught in such Cart or Waggon, with all Geers, Bridles, Halters and Accoutrements, to the sole Use and Benefit of any Person or Persons who shall Seize and Distrain the same.

Provided allways, And be it Enacted by the Authority aforesaid, That whatever Person or Persons shall make any such Seizure or Distress, such Person or Persons shall Deliver the Horse, or Horses, Beast or Beasts of Draught, and other Things so Seized or Distrained, with all convenient Speed, into the Custody of the Constable, Pound-Keeper, or some other Parish Officer of the same, or next adjacent Parish or Liberty where such Distress or Seizure is made; which said Constable, Pound-Keeper, or Parish Officer, are hereby required to receive into his or their Custody, and safely to keep the same, upon pain of Forfeiting to the Person or Persons so Seizing the same, the Sum of Forty Shillings, to be Levied and Recovered in such Manner and Form, as the other Penalties by this Act are particularly Directed and Prescribed to be Levied, until the Person or

Persons who made such Distress or Seizure, shall make Proof upon Oath, before some Justice or Justices of the Peace, of the Offence Committed, and the said Justice or Justices before whom such Proof is made, are hereby Required to Issue their Precept to such Constable, Pound-Keeper or Parish Officer immediately to deliver the Horse or Horses, Beast or Beasts of Draught, and other Things so Forfeited to the Party or Parties who Seized or Distrained the same, to and for their sole Use and Benefit, paying such reasonable Charge for Keeping and Securing the same, as the said Justice or Justices shall Allow and Direct.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons shall Hinder, or with Force or otherwise Attempt or Endeavour to Obstruct the Seizing, Distraining, Taking, or Carrying off any such Seizure or Distress, or Thing so to be Seized or Distrained, for the aforesaid Offence or Offences; or shall Rescue the same; or shall use any Violence to the Person or Persons concerned in making such Seizure or Distress; each and every such Person or Persons, shall, upon due Proof made upon Oath, by One or more credible Witness or Witnesses, before any one or more Justice or Justices of the Peace, for the County, City, or County of the City, where such Offence is done, be Committed, by such Justice or Justices, to the Common Goal

Goal for the said County, for one Month, there to remain without Bail or Mainprize, and shall also Lose and Forfeit for every such Offence, the Sum of Ten Shillings to the Person or Persons who shall be so Obstructed, or attempted to be so Obstructed, in making such Seizure, or Distress, or in Taking or Carrying off the same, as aforesaid, to be Levied and Recovered by Distress and Sale of the Offenders Goods and Chattels, by Virtue of a Warrant under the Hand and Seal of such Justice or Justices, who is, and are hereby Authorized and Required to Grant the same; And in case the said Penalty be not paid within three Days after such Distress made, then it shall and may be Lawful, to and for the Person or Persons so Distraining, as aforesaid, to Sell the Goods and Chattels so Distrained, rendering the Overplus to the Owner or Owners, the Charge of such Distraining and Selling, being first Deducted. CHAP. XIII.

And be it further Enacted by the Authority aforesaid, That all and every Person or Persons, who shall Offend, as aforesaid, being thereof Convicted, as aforesaid, shall Forfeit, and be Subject and Liable to the respective Penalties and Forfeitures aforesaid, to be Levied, Recovered, and Applyed in such manner, and to such Uses as aforesaid, and his and their Horses, Wains or Draught, with their Geers, Bridles and

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Accoutrements, shall, for the Space of six Days next after such Offence, Be, and Remain Subject and Liable to such Seizures and Distresses, and for the Use and Benefit of such Person and Persons, as they would, or might have been, had they been Seized or Distrained in the Fact, during the Commission of such Offence.

Provided allways, And be it Enacted by the Authority aforesaid, That nothing herein Contained shall extend to Prohibit or Restrain the Driving, Travelling or making Use of any Cart or Waggon, or Subject any Person or Persons whatsoever to the Forfeiture or Seizure of any Horses, or Beasts of Draught, or Geers, Bridles or Accoutrements belonging to the same, or any of the Penalties aforesaid, where such Cart or Waggon is going or Travelling to, or from the said City of Dublin, or to, or from any Distant Place above Seven Miles from the said City, to be Computed as aforesaid.

And be it Enacted by the Authority aforesaid, That if any Straw, Litter, Dung, Muck, Mooring, Rubbish, Ashes, or Filth, shall be laid and Remain for Three Days upon any High-Way or Road, within Seven Miles of the said City of Dublin, to be Computed as aforesaid, or if any Stones, Clay, Mould or Gravel, shall be Dug, Gathered or Scraped off the same, without the Direction first had of the Overseer or Overseers of such High-Way,

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way, for the Time being, for the actual Repair thereof, upon Information given, and Oath Made thereof, by One or more Credible Witness or Witnesses, before one or more Justice or Justices of the Peace, for the City, County, or County of the City wherein such Offence or Offences shall be Committed, who are hereby Impowered and Required to administer such Oath, the Person or Persons Committing said Offence shall forfeit and pay the Sum of Twenty Shillings, to be Levied by Distress and Sale of his, her or their Goods by Warrant under the Hand and Seal, or Hands and Seals of said Justice or Justices, Rendering the Overplus (if any be) to the Owner, the Charges in Taking and Disposing of the said Goods being first Deducted, the said Sum of Twenty Shillings to be paid to the Person or Persons who shall give the Information aforesaid.

And be it further Enacted by the Authority aforesaid, That if any Action or Actions shall at any Time or Times hereafter be Prosecuted or brought against any Person or Persons whatsoever, for any Matter or Thing which he, she or they shall do or cause to be done by Virtue, or in the Execution of this Act, that in such Case, the Defendant or Defendants in every such Action or Actions shall and may Plead the General Issue, and give this Act and the Special Matter in Evidence on any Trial or Trials

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to be hereafter had, in such Action or Actions, and that if the Plaintiff or Plaintiffs, in any such Action or Actions, shall Discontinue such Action or Actions, or become Nonsuit, or if Judgment shall be given against him, her or them, in such Action or Actions, or Verdict or Demurrer, that then the Defendant or Defendants in every such Action or Actions, shall Recover his, her or their full Costs of Suit, any Law, Custom or Usage, or any thing in this Act Contained to the Contrary notwithstanding.

AN

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AN

ACT

FOR

Removing Doubts touching the Presentments of Money in the Court of *King's-Bench*; and for Raising of Money for Building and Repairing Houses of Correction.

G. II. R.

DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Most Excellent Majesty, at the *King's Arms* and *Two Bibles* in *Essex-Street*. M.DCC.LVI.

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AN

ACT

FOR

Removing Doubts touching the Presentments of Money in the Court of King's Bench; and for Raising of Money for Building and Repairing Houses of Correction.

G. R.

DUBLIN:

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AN

ACT

FOR

Removing Doubts touching the Presentments of Money in the Court of *King's-Bench*; and for Raising of Money for Building and Repairing Houses of Correction.

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CHAP. XIV.

WHEREAS some Doubts have of late been Conceived, touching the Powers of the Grand-Juries of the County of the City of Dublin, and of the County of Dublin, in His Majesty's Court of King's-Bench, to Present Money for publick Uses: For Removing such Doubts,

Be it Declared and Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

Temporal, and Commons in this present Parliament Assembled, and by the Authority of the Same, That it shall and may be Lawful to and for the Grand-Juries of the said Counties, respectively, in Term Time, to make Presentments, and for the Judges of the said Court, in open Court to Confirm the same, for the Raising Money on the said Counties, respectively, for all and every Use and Uses, Purpose and Purposes, for which by any Law now subsisting, the Grand-Juries at the Assizes in the several Counties of this Kingdom, are Authorized and Impowered to make Presentments of Money, and that such Presentments, so made, or to be made, at the said Court of King's-Bench, are, and shall be under the like Powers, Regulations, Proceſſes, and Restrictions, as to the Raising, Levying, and duly Applying, and Accounting for the Money so Presented, or to be Presented, as have been heretofore Used in the said Court of King's-Bench, or by any Law now Subsisting, are, or have been Given, Directed, or Appointed for Presentments of Money, made, or to be made at the several Assizes in this Kingdom.

And be it further Declared and Enacted by the Authority aforesaid, That it shall be Lawful to and for the said Grand-Juries in the said Court of King's-Bench, in Term Time to make Presentments, if they think fit, and for the Judges of the said Court, in-

in open Court, to Confirm the ſame, of any Sum or Sums of Money, for the Making and Repairing of Selvers and Drains for Carrying off Water, or the Preventing of Water from Flowing in or upon any High-Roads, Lanes, Streets, and Quays, in the ſaid reſpective Counties, and for the Making and Repairing Walls in the ſaid reſpective Counties, neceſſary for the keeping off Water, and for the Security of Paſſengers in any High-Road, Street, Lane, or Quay, where no Private Perſon or Perſons, Bodies Politick or Corporate, is, or are Obliged to Make or Repair the ſame; and alſo, any ſuch Sum or Sums of Money, not exceeding the Sum of Five Pounds per Annum, by each of the ſaid Grand-Juries, to be paid to the Cryer of the Courts held by Commiſſions of Oyer and Terminer, for the ſaid Counties, in the Four-Courts in Dublin, for Attending the Service of the ſaid Courts; and alſo, any Sum or Sums, not exceeding in the Whole, the Sum of Six Pounds, per Annum, by each of the ſaid Grand-Juries, to be Paid to the Court-Keeper of the ſaid Courts, for taking Care of the Court and the Chambers thereunto belonging, and Providing the ſame with neceſſary Firing, Pens, Ink, and Paper, and duly Attending the Service of the ſaid Court.

Provided allways, That no Preſentment in the ſaid Court of King's-Bench, for Raiſing Money, ſhall ſtand abſolutely Confirmed,

until the Sixth Day of the next Term following such Presentment.

Provided also, That such Presentment shall be Posted up in the said Court, the First Five Days of the following Term, to the End that all Persons Concerned may have Notice thereof, and Object against, or Traverse the same, as They shall think convenient, in like Manner as hath been heretofore Used.

Provided also, That nothing herein Contained, shall Extend, or be Construed to Extend to Impower or Authorize the said Grand-Juries in the said Court of King's-Bench, to make Presentments of Money on Robbery Petitions, by Virtue of any of the Laws now in Force for that Purpose in this Kingdom; any Thing herein before Contained to the Contrary, notwithstanding.

And whereas the Power given to Grand-Juries at Quarter-Sessions, to Raise Money by Presentment, for the Use of Houses of Correction, hath been frequently Abused, and the Money so Presented Misapplied;

Be it Enacted by the Authority aforesaid, That no Money shall be Raised by the Presentment of Grand-Juries, at the Quarter-Sessions, except at the Quarter-Sessions for the County of Dublin, and County

County of the City of Dublin, for any Purpose whatsoever; And that Money for the Building, Use, or Repair of Houses of Correction, shall, for the future, be Raised by Presentments of Grand-Juries, and Confirmed by the Judges at the Assizes, who may Appoint Overseers to lay out the Money so Presented, which shall be Accounted for, when laid out, in the same Manner as Money Presented for the Repair of Highways. CHAP. XIV.

Provided, That no more Money shall be Presented for the Use or Repair of any House of Correction, after the same is, or shall be Built, at any One Assizes, than the Sum of Ten Pounds, Sterling.

And be it also further Enacted by the Authority aforesaid, That every House of Correction, which shall be hereafter Erected, shall be Built Distinct and Seperate from the County-Goal, with an Apartment therein for the Reception of Women, Distinct from That where Men shall be Confined.

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AN

ACT

TO

Supply the Defects of an Act Paſſed in the Eleventh Year of the Reign of Her Late Majeſty Queen *Anne*, Intituled, *An Act for Explaining and Amending ſeveral Statutes for Prohibiting Under-Sheriffs and Sheriffs Clerks from Officiating as Sub-Sheriffs or Sheriffs Clerks, more than one Year.*

DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*. M.DCC.LVI.

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AN

ACT

TO

Supply the Defects of an Act Paſſed in the Eleventh Year of the Reign of Her Late Majeſty Queen Anne, Intituled, An Act for Explaining and Amending ſeveral Statutes for Prohibiting Under-Sheriffs and Sheriffs Clerks from Officiating as Sub-Sheriffs or Sheriffs Clerks, more than one Year.

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AN ACT TO

Supply the Defects of an Act Passed in the Eleventh Year of the Reign of Her Late Majesty Queen *Anne*, Intituled, *An Act for Explaining and Amending several Statutes for Prohibiting Under-Sheriffs and Sheriffs Clerks from Officiating as Sub-Sheriffs or Sheriffs Clerks, more than one Year.*

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CHAP. XV.

WHEREAS by an Act passed in the Eleventh Year of the Reign of Her Late Majesty Queen Anne, [Intituled, An Act for Explaining and Amending several Statutes for Prohibiting Under-Sheriffs and Sheriffs Clerks from Officiating as Sub-Sheriffs or Sheriffs Clerks more than one Year,] it was among other Things Recited, that the several Acts and Statutes therein before Recited, had been notoriously Eluded by Under-Sheriffs, Sheriffs Clerks and others Continuing in their Offices for several Years

 together,

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together, one Year as Under-Sheriff, another as Sheriffs Clerk, or Deputy Receiver, or Bailiff, and by taking the said Offices by turns, and in other Persons Names, in Trust, and Receiving the Profits for their Use; which hath been the Occasion of much Corruption, Delay of Justice, Oppression of the Subjects, and other Mischiefs: For the Remedy of which, and for the better and more Effectual Execution of such wholsome and necessary Laws in the said Act Recited, It was Enacted, That no Person, whatsoever, should, from and after the Sixth Day of November, One thousand seven hundred and Eleven, be Admitted into, or should take on him, or Presume to Exercise, Execute or Officiate by himself or any under him, or in trust for him, or to his Use, the Office of an Under-Sheriff, Sheriffs Clerk or County Clerk, in any County, or County of a City, or Town within this Kingdom, who had within Three Years next before his Admission therein, Executed, Officiated or Exercised, either, or any of the said Offices; and if any Person or Persons should, after said Sixth Day of November, One thousand seven hundred and Eleven, offend therein, should Forfeit and Pay, for every such Offence, the Sum of Five hundred Pounds, the one Moiety thereof to be Applied to the Use of the Work-House or Houses of Correction of such County, or County of a City, or County of a Town, wherein such Offence should

be

be Committed, the other Moiety for him or them who should Sue for the same.

And it was further Enacted, That all and every person or persons, from and after the said Sixth Day of November, One thousand seven hundred and Eleven, as should be so Appointed, in Manner aforesaid, should enter into a Recognizance, to Her then Late Majesty, Her Heirs, and Successors, with Sufficient Security, before a Master of the High Court of Chancery, or before a Master Extraordinary for taking Affidavits in the Country, who were thereby Authorized and Required to take such Recognizance, conditioned, that he had not taken the said Office, Duty or Employment, to the Use, or in Trust for any person or persons, who had been Under-Sheriff, or Sheriffs Clerk, or Executed either of the said Offices, or Employments in the said County, County of a City, or Town within the Space of three Years, then next preceding; which said Recognizance, so to be Taken, should be in Two Months after taking thereof, returned into His Majesty's Court of Exchequer, for the Recording whereof, the Sum of Two Shillings and Six Pence, should be Received, and no more.

And it was thereby further Enacted, That if any such person or persons therein Specified, should Execute such Office or Offices, or any way Officiate therein, before he Entered into such Recognizance, or had taken

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the Oath in the said Act prescribed to be Taken, should Forfeit and pay the Sum of Five hundred Pounds, to be Recovered in such Manner, and to go to such Uses, and to such Persons, as the Penalty and Forfeiture before mentioned was to go.

And whereas it has been found by Experience, that the said Term of Three Years is not Sufficient, the several Under-Sheriffs, Sheriffs Clerks, and Deputies, continuing in such Offices, by Persons in Trust, or in other Names, and to Evade the Penalty of five hundred Pounds inflicted on Offenders, do cause Informations to be Filed without any Intent to Prosecute the same to Judgment, whereby the Force of the said former Statute is totally Evaded and Eluded: For Remedy whereof;

Be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same, That from and after the first Day of May, One thousand seven hundred and fifty six, no Person or Persons whatsoever, shall be admitted into, or shall take on him, or presume to Execute or Officiate by himself or any one in Trust, for him or his Use, the Office or Duty of an Under-Sheriff, Sheriffs Clerk, or County Clerk, within the City, County of the City of Dublin, or County

of

of Dublin, who had within the Space of Ten Years before his Admission therein, Executed, Officiated, or Exercised any of the said Offices or Duties in the said City, County of the City, or County of Dublin, aforesaid; and if any Person or Persons shall, after the said first Day of May, One thousand seven hundred, and fifty six, Offend herein, he and they shall Forfeit and Pay, for every such Offence, the same Penalty as in the former Act is inflicted on Persons Executing the said Offices within three Years after they have Executed the same, which said Penalty shall and may be Recovered against such Offenders in the same manner as is Prescribed by the said former Act, one Moiety whereof to go to the Informer, and the other Moiety to the Work-House of the City of Dublin. CHAP. XV.

And be it Enacted by the Authority aforesaid, That if any Information or Informations shall hereafter be brought for any Offence against this, or the former Act, if the same be not Prosecuted with Effect, such Information or Informations shall be deemed Invalid, and of no Effect in the Law: And that it shall and may be Lawful, for any other Person or Persons, to File another Information to Recover the Penalty in this, and in the former Act, for the Offences committed

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against the same; and that the Person or Persons who brought such Information or Informations, not Prosecuting the same with Effect, shall, for such Default, Forfeit and pay the Sum of One hundred Pounds Sterling, the same to be Recovered in a Summary Way before his Majesty's Justices of either Bench, or Barons of his Court of Exchequer, who are hereby Impowered to Determine the same; one Moiety whereof to be Paid to the Informer, and the other Moiety to the Use of the Work-House of the City of Dublin.

And whereas great Cruelties and Impositions are daily Committed by the Sub-Sheriffs, and Sheriffs Clerks concealing themselves when sent for to take Bail, in order to extort Exorbitant Fees: For Remedy whereof;

Be it further Enacted by the Authority aforesaid, That from and after the first Day of May, which shall be in the Year of Our Lord, One thousand, seven hundred and fifty six, no Sub-Sheriff, or Sheriffs Clerk, shall take any more than their legal Fees, and upon Complaint thereof, and due Proof made before the Court, out of which such Writ Issued, such Sub-Sheriff or Sheriffs

riffs Clerk or Clerks, shall, for every such Offence, Forfeit and Pay the Sum of One hundred Pounds; which said Penalty shall be, and the said Court, out of which such Writ Issued, is hereby Impowered, and Required to have Estreated into His Majesty's Exchequer.

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CHAP. XVI.

AN

ACT

For PROMOTING

PUBLICK CREDIT.

DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Most Excellent Majesty, at the *King's-Arms* and *Two Bibles* in *Essex-Street*. M.DCC.LVI.

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AN

ACT

For Promoting

PUBLICK CREDIT.

DUBLIN:

Printed by the Printer of Grocers Abraham Crierson,
Printer to the King's Most Excellent Majesty, at the
King's-Arms and Two Bibles in Essex-Street, M.DCC.LVI.

AN

ACT

For Promoting

PUBLICK CREDIT.

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WHEREAS the publick Credit of this Kingdom has Suffered by Bankers Trading as Merchants, and by Frauds Committed by the Cashiers and Clerks of Bankers and others; For Remedy whereof;

Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That, from and after the first Day of July, One thousand seven hundred

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and fifty six, the Name of every Person and Persons, who Singly, or Jointly with any others, carry on the said Trade, or Business of a Banker or Bankers, shall be mentioned in, or Subscribed to, all Notes and Receipts, to be Issued by such Banker or Bankers; And if any Banker or Bankers shall Offend herein, he shall, for every such Offence, Forfeit the Sum of One hundred Pounds.

And be it Enacted by the Authority aforesaid, That no Person or Persons, who do or shall carry on the Business of a Banker or Bankers, shall, from and after the first Day of July, One thousand seven hundred and fifty seven, either singly or in Partnership with any other, so long as he or they, shall continue to be a Banker or Bankers, Trade or Traffick as Merchants in Goods or Merchandizes Imported or Exported; And if any Banker shall Offend herein, he shall Forfeit the Sum of One thousand Pounds.

And be it Enacted by the Authority aforesaid, That if any Cashier, or Clerk of any Banker or Bankers, Merchant or Merchants, Officer or Officers, Intrusted with the Receipt or Custody of Publick Money, shall, without the Consent of such Banker or Bankers, Merchant or Merchants, Officer or Officers, Embezel or Take away Money, Cash, Notes, or Securities

tities for Money, to the Value of Fifty pounds Sterling, belonging to such Banker or Bankers, Merchant or Merchants, or Intrusted to the Care of such Officer or Officers, with an Intent to Defraud such Banker or Bankers, Merchant or Merchants, Officer or Officers; such Cashier or Clerk, shall, upon Conviction thereof, be Adjudged to be Guilty of Felony without the Benefit of Clergy; and every Person who shall Receive such Money, Notes, or Securities for Money, from such Cashier or Clerk, knowing them to be so Taken away, with an Intent to Defraud such Banker or Bankers, Merchant or Merchants, Officer or Officers, shall be likewise Adjudged to be Guilty of Felony, without the Benefit of Clergy.

Provided always, That all Sums of Money to be Forfeited by this Act, may be Sued for, and Recovered in any of the Four Courts of Dublin, by any Person in his or her own Name, by Action of Debt, Bill, Plaint, or Information, Founded on this Act.

Provided such Suit be Commenced within Twelve Kalendar Months next after such Offence Committed, in which there shall be no Essoign, Wager of Law, or more than one Imparlance allowed; and that all Sums so to be Recovered, shall be Applied, one Moiety thereof to the Use of the Person who shall Sue for the same, the other Moiety to His Majesty, His Heirs and Successors.

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AN

ACT

For the RELIEF of

INSOLVENT DEBTORS.

DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Most Excellent Majesty, at the *King's Arms* and *Two Bibles* in *Essex-Street*. MDCCLVI.

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AN

ACT

For the RELIEF of

INSOLVENT DEBTORS.

DUBLIN:

Printed by the Executors of George Faulkner, Printer to the King's Most Excellent Majesty, in the King's Inns, and Two Doors from Capel-Street. MDCCLVI.

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AN ACT For the RELIEF of INSOLVENT DEBTORS.

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WHEREAS many Persons, by Losses and other Misfortunes, are rendered Incapable of paying their Whole Debts, and though they are willing to make the utmost Satisfaction they can, are nevertheless Detained in Prison by their Creditors:

And whereas such unhappy Debtors have always been Deemed the proper Objects of Publick Compassion, and by several Acts of Parliament have been Discharged: For the Relief therefore of Insolvent Prisoners, who shall faithfully Discover, upon Oath, and Deliver up, and Assign all their Estates and Effects whatsoever for the Benefit of their

Cc Creditors,

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Creditors, and to prevent, as far as possible, the many frauds and Abuses which in great Measure have Obstructed the good End of such former Acts;

Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That all and every Sheriff or Sheriffs, Goaler, or Keeper of any Prison or Prisons, in any County, City, or Liberty, or Town-Corporate, within this Kingdom, respectively, shall, and is, or are hereby Impowered and Required to Take and Make a True, Exact, and perfect List, Alphabetically, of the Name or Names of all and every Person or Persons, who, upon the Twenty fourth Day of June, One thousand seven hundred and fifty five, was or were actually a Prisoner or Prisoners in the Custody of any such Sheriff or Sheriffs, Goaler or Goalers, or Keepers of any Prison, respectively, upon any Process whatsoever, for or by Reason of any Debt, Damages, Costs, Sum or Sums of Money, and of the Time when such Prisoner or Prisoners were Charged in Custody; together with the Name or Names of the Person or Persons at whose Suit such Prisoner or Prisoners is, or are Detained, and shall Deliver the same to the Justices at their First General or Quarter-Sessions of the Peace to be Held after

after the First Day of May, One thouſand ſeven hundred and fifty ſix, for ſuch County, City, Liberty, or Town-Corporate, reſpectively, and ſhall, in open Court, make an Oath to the following Effect, viz.

I *A. B.* Do, upon my Corporal Oath, in the Preſence of Almighty God, ſolemnly Swear, Profeſs, and Declare, That all and every Perſon and Perſons whoſe Name or Names are Inſerted or Contained in the foregoing Liſt, by me now Delivered and Subſcribed, were, to the beſt of my Knowledge and Belief, upon the Twenty fourth Day of *June*, in the Year of Our Lord One thouſand ſeven hundred and fifty five, really and truly Priſoners in the Priſon or Goal of at the Suit or Suits of the ſeveral Perſons therein reſpectively mentioned, and that the ſaid Liſt is a true, exact, perfect, and juſt Liſt of all ſuch Perſons as were really and truly Priſoners in the ſaid Goal or Priſon of on the ſaid Twenty fourth Day of *June*, in the ſaid Year One thouſand ſeven hundred and fifty five, and have Continued in Cuſtody, as aforeſaid, ever ſince, according to the beſt of my Knowledge and Belief. So help me God.

Which Oath the Juſtices of the ſaid General or Quarter-Sellions, in open Court, are hereby Impowered to Adminiſter; the Words of which Oath ſhall be Entered or Written at the Bottom or End of every ſuch Liſt ſo Delivered and Subſcribed, in open Court, by every ſuch Sheriff, Goaler,

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or Keeper, respectively; which List, so Subscribed and Sworn unto, shall be kept by the Clerks of the Peace of every such County, County of a City, Liberty, or Town-Corporate, respectively, for the better Satisfaction of the said Justices, and Information of all Creditors, and to be seen without Fee or Reward; and the said Justices, at the said General or Quarter-Sessions, shall order Copies of the said List or Lists to be printed by the Clerk of the Peace, for each of which printed Copies, he may Take, according to the Quantity of Names therein Contained, what shall be Ordered by the said Justices, not exceeding One Shilling, for each List, the same to be paid by such person or persons as shall desire such Copy or Copies. And to the End that no such poor persons may be Defeated of His or Her Discharge, according to the true Intent and Meaning of this Act, by having His, Her or Their Name or Names left out of the said List, so to be Delivered;

Be it Enacted by the Authority aforesaid, That all and every such Sheriff and Sheriffs, Goaler or Goalers, or Keeper of any Prison, is, and are hereby Required to fix up in the most Conspicuous Place or Places in every such Prison, and at the most frequented and usual Gate, Door, or Entrance into such Prison, Three or more true Copies of the List or Lists to be Delivered at the said General or Quarter-Sessions, Ten Days

before

before the said Sessions; And if any such Sheriff or Sheriffs, Goaler or Goalers, Keeper or Keepers of any such Prison, shall, in any such Lists to be Delivered in as aforesaid, Neglect or Refuse to Insert the Name of any Prisoner or Prisoners who has or were in Prison, on the said Twenty fourth Day of June, One thousand seven hundred and Fifty five, the Person or Persons so neglecting or Refusing to Insert the same, shall, for every such Name or Names so Omitted, incur and be Subject to such Penalty or Penalties as are herein after Imposed, or laid on every such Sheriff or Sheriffs, Goaler or Goalers, Keeper or Keepers, who shall Neglect or Refuse to make out, fix up, or Deliver such List, as aforesaid, to be Recovered in the same Manner, and to be applyed to such Uses, as are herein after Directed, for the Recovery and Application of the Penalty, in Case of Neglect or Refusal to make out such Lists, as aforesaid: CHAP. XVII.

Be it also Enacted by the Authority aforesaid, That all and every Person and Persons, whose Name shall be inserted in such Lists, to be Delivered in, as aforesaid, who, upon the said Twenty fourth Day of June, One thousand seven hundred and fifty five, were actually Prisoners in the Custody of any Sheriff or Sheriffs, Goaler or Goalers, or Keeper of any Prison respectively, of this Kingdom, who shall take the Oath herein after mentioned, shall and may be for ever Releas-

ed and Discharged, from their Imprisonment, in such manner as herein after is provided, (that is to say) It shall and may be Lawful for any Justice or Justices of any County, County of a City, Liberty or Town Corporate within this Kingdom, upon the Petition of such Prisoner or Prisoners, by Warrant under his or their Hands and Seals, to require the Sheriff or Sheriffs, Goaler or Goalers, or Keeper of any such Prison, within his or their respective Jurisdictions, to bring before the Justices, to the next General or Quarter-Sessions of the Peace, to be held next after the Expiration, of Thirty Days from the Date of the said Warrant for such respective County, County of a City, Liberty, or Town-Corporate, the Body of any Person being in the said Prison, as aforesaid, with the Warrant or Warrants of his or her Detainer; together with a Copy or Copies, of the Cause or Causes which he, she or they is or are Charged with, in the several Goals and Prisons as aforesaid, at the Time aforesaid; which Warrants of the said Justice or Justices, every such Sheriff or Keeper, is hereby Commanded to obey, and such Prisoner coming before such Justice, at the said General or Quarter-Sessions, shall, in open Court, Subscribe and Deliver in a Schedule of his or her whole Estate, and the Names of his or her several Debtors, and the several Sums of Money, from them respectively Secured, or owing, upon any Specialty, Contract, or other

Account

Account whatſoever; and the Names and Places of Abode, of the ſeveral Perſons from whom ſuch Debts are Due, and owing; and of the Witneſſes who can prove ſuch Debts, or Contracts (if there be any ſuch) and make Oath and Swear to the Effect following (that is to ſay)

I *A. B.* Do, upon my corporal Oath, in the Preſence of Almighty God, Solemnly Swear, proteſt and Declare, that on the Twenty fourth Day of *June*, in the Year of Our Lord, One thouſand ſeven hundred and fifty five, I was a Priſoner within the Priſon of in the Cuſtody of the Goaler, or Keeper, of the ſaid Priſon, of at the Suit of without my Conſent or Procurement, and without any Fraud or Colluſion whatſoever, and have Continued in Cuſtody ever ſince; and that the Schedule now delivered, and by me Subſcribed, doth contain to the Beſt of my Knowledge Remembrance, and Belief, a Full, Juſt, True and Perfect Account and Diſcovery of all the Eſtate, Goods, and Effects, unto me in any wiſe belonging, and ſuch Debts as are to me owing, or to any Perſon or Perſons in Truſt, for me; and of all the Securities, and Contracts, whereby any Money now is, or will, or may hereafter become Payable, or any Benefit or Advantage Accrue to me, or for my Uſe, or to any Perſon or Perſons in Truſt for me; and the Names and Places of Abode of the ſeveral Perſons from whom ſuch Debts are Due and Owing, and of the Witneſſes that can prove ſuch Debts or Contracts; and that neither I nor

any other Person or Persons, in Trust for me, have Lands, Money, Stock, or any Estate, Real or Personal, in Possession, Reversion, or Remainder, other than what are in the said Schedule contained; excepting wearing Apparel and Bedding for myself and Family, working Tools and necessary Implements, for my Occupation and Calling, and these in the Whole not exceeding Ten Pounds, and that I have not directly nor indirectly Sold, lessened or other wise Conveyed, disposed of in Trust, or Concealed, all or any part of my Lands, Money, Goods, Chattels, Stocks, Debts, Securities, Contracts, or Estates, Real or Personal, whereby to Secure the same, or to receive or expect any Profit, or Advantage thereof, or to Defraud, or Deceive any Creditor or Creditors, to whom I am Indebted in any wise howsoever.

And which said Schedule being so Subscribed, in the Presence of the Justices, in open Court and Sessions, aforesaid, is to remain with the Clerk of the Peace, for the better Information of all the Creditors of such Prisoners, and all the Estate, Right, Title, Interest, and Trust, of such Prisoner, of, in and unto such Real and Personal Estate, Debt, and Effects Contained in such Schedule, as aforesaid, shall, immediately after the Discharge of such Prisoner, be, and is hereby Vested in the Clerk of the Peace, of and for the County, County of a City, Liberty, or Town-Corporate, who is hereby Directed and Authorized, by Order of the Justices at their General or Quarter-Sessions of the Peace,

to

to make an Aſſignment of the ſaid Eſtate and Effects to ſuch of the Creditors of the ſaid Priſoner, as the major part of the Creditors of the ſaid Priſoner, who ſhall Apply for the ſame, by any Writing under their Hands, ſhall Direct or Appoint; for which Aſſignment, the ſaid Clerk of the Peace ſhall take a Fee of Two Shillings, and no more, in Truſt for Themſelves and the Reſt of the Creditors; which ſaid Aſſignee or Aſſignees, is, and are hereby Impowered to Sue in His, Her, or Their own Name or Names, for, and to Recover, and to Receive the ſame, and to give ſufficient Diſcharge and Diſcharges to each reſpective Debtor or Debtors, and fully to Divide the ſaid Priſoners Eſtate and Effects, or the Monies ariſing from the Sale or Diſpoſition thereof, ſuch Sale or Diſpoſition to be Approved of by the major part of ſaid Creditors in Writing, as aforeſaid, among the Creditors of ſuch Priſoner, who, within One Month after Notice of ſuch intended Dividend ſhall be publiſhed in the Dublin Gazette, ſhall Produce, to ſuch Aſſignee or Aſſignees, an Affidavit made before One or more Juſtice or Juſtices of the Peace, who is and are hereby Impowered to Take the ſame, Proving His or Her Debt due from ſaid Priſoner, ſo Diſcharged, in equal Proportions, according to their reſpective Debts, the Marſhal or other Goaler, except the Marſhal of the Four-Courts of Dublin, from whoſe Cuſtody ſuch Priſoner ſhall be Enlarged, for His or Their reſpective Fees and

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Chamber-rent, due from such Prisoner, to be accounted One, and to be paid in Proportion with the other Creditors of such Prisoner so Discharged, and after the same is Recovered and Received, to Render the Overplus (if any shall be) Their own Debts and Charges first Deducted, to the Prisoner, His or Her Executors or Administrators.

Provided allways, That nothing herein before Contained, shall Extend to Prejudice or Affect any Estate, Interest, or Right whatsoever of any other Person or Persons than the said Prisoners, which may be expectant upon, or subsequent unto, the Estate or Interest of the said Prisoner, hereby Vested in the said Clerk of the Peace: But that the Estate, Interest, and all Right whatsoever of such Person or Persons, as aforesaid, shall Remain and Continue in the same Manner, as if this Act had not been made.

Provided also, And be it Enacted by the Authority aforesaid, That where any Rent, not exceeding Two Years Rent, shall be Due to any Person or Persons, from such Prisoner or Prisoners, at the Time of His, Her, or Their respective Discharges, in respect of any Messuage, Lands, or Tenements, then in Lease to such Prisoner or Prisoners, respectively, for Life, or Lives, for Years, at Will, or otherwise, no Goods or Chattels then lying or being in or upon the respective Tenements so in Lease, or liable to be Distrained,

Diſtrained, ſhall be Aſſigned by the Clerk of the Peace, in Manner as aforeſaid, but ſhall, by ſuch Clerk of the Peace, be Tranſferred to ſuch Landlord or Landlords, or ſome Perſon or Perſons in Truſt for Him or Them, reſpectively, towards Satisfaction of the Rent then Due, not exceeding Two Years Rent, as aforeſaid, unleſs the Perſon or Perſons, unto whom ſuch Aſſignment ſhall be made by ſuch Clerk of the Peace, ſhall, by Writing under His or Their reſpective Hands and Seals, before ſuch Aſſignment, agree to Pay, or Satisfy ſuch Landlord or Landlords, the Rents to Them reſpectively Due, not exceeding Two Years Rent, as aforeſaid: To the Intent that ſuch Landlord or Landlords may be Satisfied the Rent or Rents to Him or Them reſpectively Due, before any Diviſion of the Eſtate or Effects of ſuch Priſoner or Priſoners, among His or Her Creditors, in like Manner, as He or They might be Satisfied the Rent or Rents to him or Them reſpectively Due before the Removal of ſuch Goods or Chattels, by Virtue of an Execution, by Force of the Statute Made in the Ninth Year of Her Late Majeſty Queen Anne, [Intituled, An Act for the better Securing of Rents, and to Prevent Frauds Committed by Tenants;] Any Thing herein before mentioned, to the Contrary thereof, in any Wiſe, notwithſtanding. CHAP. XVII.

Provided alſo, And be it Enacted by the Authority aforeſaid, That nothing in this Act

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shall extend or be construed to extend to hinder or prevent any Mortgage or Mortgages, upon the Estate of such Prisoner or Prisoners, or any part thereof, from taking place upon the Land, Tenements, or Hereditaments Comprized in such Mortgage or Mortgages respectively; nor to prevent any Statute Staple, Statute Merchant, Recognizance or Judgment, Acknowledged by, or Obtained against any such Prisonet or Prisoners, from taking place upon the Lands, Tenements, or Real Estate of such Prisoner or Prisoners; and also, where any Inquisition shall have been taken upon any such Statute or Recognizance, or any Writ, or Execution, shall have been Taken out, and Delivered to the Sheriff or proper Officer, upon any such Judgment before such Assignment made by the Clerk of the Peace, aforesaid, upon his her, or their personal Estates respectively, preferably, and prior to any Division of the Estate and Effects of such Prisoner or Prisoners, among his or her other Creditors, for so much as shall remain really due upon any such Mortgage, Statute, Recognizance, or Judgment respectively, in like manner, as if this Act had not been Made; any Thing herein Contained to the Contrary notwithstanding.

And be it also further Enacted by the Authority aforesaid, That the Justice or Justices who shall Grant such Warrant or Warrants, for bringing such Prisoner or Prisoners before

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before the Justices at the General or Quarter-Sessions, shall give a Writing, Importing a Notice, to all the Creditors of such Prisoner or Prisoners, Petitioning, as aforesaid, under his or their Hands and Seals, that he or they, hath, or have Granted such Warrant: And that the said Prisoner or Prisoners, have, or hath Petitioned to be Discharged; and the said Notice shall be left for, or Served upon, the Person or Persons, his or their Executors or Administrators, or some, or one of them, or his or their Attorney, or Agent, Lawfully Authorized, or the same, or a true Copy thereof shall be left at the Dwelling-House, or usual Place of Abode, of the said Person or Persons, or of the Attorney, Sollicitor, or Agent last Employed, in the Cause or Causes, by the said Plaintiff or Plaintiffs at whose Suit the Prisoner or Prisoners, shall be Imprisoned; and every Prisoner Confined in Prison, within the City of Dublin, Liberty of Thomas Court, and Donore, and Saint Sepulchers, near the said City of Dublin, shall cause the like Notice to be given to every other Creditor, Inhabiting, or otherwise Residing, within the said City of Dublin, and Liberties of Thomas Court, and Donore, and of Saint Sepulchers, and to every other Creditor Inhabiting, or otherwise Residing, within Ten Miles of the Prison where such Prisoner shall be in Custody; which said Notice shall be left with, or Served on, the Person or Persons as before Directed, Thirty Days before such General, or Quarter-Sessi-

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ons, appointed by the said Warrant; or instead of serving such Notice as above said, it shall be deemed Sufficient to all Intents and Purposes, that the same be Inserted in the Dublin Gazette, Containing the Name, Trade, or Occupation, and last Place of Abode of every Prisoner, and of the Prison wherein he or she is Confined, and of his or her Intention to take the Benefit of this Act, for which there shall be paid one Penny for each Name, and no more, Thirty Days before such General or Quarter-Sessions, appointed by the said Warrant, as aforesaid, so that as well all the said Creditors as have not Charged the said Prisoner or Prisoners in Custody, as those Creditors which have, shall have sufficient Notice as aforesaid, and the said Prisoner or Prisoners may appear before the Justices at the General or Quarter-Sessions to be held for the same County, County of the City, Liberty, or Town Corporate, as aforesaid; and in case it shall be proved on Oath before the said Justices that the said Notice was so Served, or left, as aforesaid, or Publick Notice Inserted in the Dublin Gazette, Thirty Days before the said General or Quarter-Sessions, and that the said Persons Petitioning were actually in Custody, as aforesaid, on the Twenty fourth Day of June, in the Year of Our Lord, One thousand seven hundred and fifty five, and the said Oath, taken by the said Prisoner, be not Disproved by good Testimony of any Credible Person or Persons,

on

on Oath, to be Administered by the said Justices, then the said Justices in their Several General, or Quarter-Sessions, or the Major Part of them, being Satisfied therewith, shall thereupon, by Order of the said Sessions, Command the Sheriff or Sheriffs, Goaler or Goalers, or Keeper of any such Prison or Prisons, forthwith to Set at Liberty such Prisoner, without having or taking any Fee or Reward, other than One Shilling, for his or their Attendance with such Prisoner, at such General, or Quarter-Sessions, in order for his or her Discharge; which Sum of One Shilling, such Sheriff or Sheriffs, Goaler or Goalers, Keeper or Keepers of such Prison, are hereby Authorized, and Impowered to Receive and Take, for the Purposes aforesaid, and no more; which Order shall be a sufficient Discharge to the Sheriff or Sheriffs, Goaler or Goalers, or Keeper of such Prison or Prisons, and shall Indemnifie him or them, against any Escape or Escapes, Action or Actions whatsoever, which shall or may be Brought, Commenced or Prosecuted, against him or them, by reason thereof.

And be it also further Enacted by the Authority aforesaid, That any Court of General or Quarter-Sessions, which, pursuant to the true Intent and Meaning of this Act, shall make any Order for the Discharge of any Prisoner or Prisoners, aforesaid, shall, if required by any Creditor or Creditors, who

ſhall Oppoſe ſuch Priſoners Diſcharge, Adminiſter, and give ſuch Sheriff or Sheriffs, Goaler or Goalers, Keeper or Keepers, of ſuch Priſon or Priſons wherein the ſaid Priſoner or Priſoners is, or are, an Oath to the Effect following, (that is to ſay,)

I *A. B.* Do Swear, that *C. D.* was Really and truly my Priſoner, in my Cuſtody, in the Priſon of to the beſt of my Knowledge and Belief, at or upon the ſaid Twenty fourth Day of *June*, in the Year of our Lord, One thouſand ſeven hundred and fifty five, and the Warrant or Warrants of his or her Detainer, and the Copy or Copies of the Cauſe or Cauſes, now by me brought with the Body of the ſaid *C. D.* is the Warrant of his, or her Detainer, and is, or are a true Copy, or Copies, without any Fraud or Deceit by me, or by any other, to the beſt of my Knowledge. So help me God.

Provided allways, And be it further Enacted by the Authority aforeſaid, That if any ſuch Perſon or Perſons as was the Sheriff or Sheriffs, Goaler or Goalers, or Keeper of ſuch Goal or Priſon, on the ſaid Twenty fourth Day of June, One thouſand ſeven hundred and fifty five, ſhall not happen to be Sheriff or Sheriffs, Goaler or Goalers, or Keeper of ſuch Goal or Priſon, at the Time of making ſuch Order, that the Juſtices at the ſaid General or Quarter-Seſſions (if required, as aforeſaid) ſhall Adminiſter and give unto ſuch Perſons as ſhall be

be Sheriffs, Goaler, or Keeper of such Prison or Prisons, at the Time of making such Order, an Oath touching the Commitments or Books of Commitments, to the Effect following (that is to say)

I *A. B.* Do Swear, that I have Examined the Commitments, or Books kept of, or Concerning the Commitments of Prisoners, in the Prison of in the County of and I verily believe that the said Commitments, or Books of Commitments, are really True, and not Fictitious, nor Calculated for this Purpose, and by them it does appear, that *C. D.* was, on the said Twenty fourth Day of *June*, which was in the Year of Our Lord, One thousand seven hundred and fifty five, really and truely a Prisoner, in the Custody of the then Sheriff, Goaler, or Keeper of the said Prison, without Fraud or Deceit by me, or the said or any other Person or Persons, to my Knowledge.

So help me GOD.

And be it further Enacted by the Authority aforesaid, That if any Sheriff or Sheriffs, Goaler or Goalers, or Keeper of any Prison, shall, without just Cause, to be approved of by the said Justice, refuse, or delay to bring any such Prisoner or Prisoners, as aforesaid, although in Execution, to the said General or Quarter-Sessions, in order to his or her Discharge; or shall neglect or refuse to make out and deliver such Lists as aforesaid; or to take any of the said Oaths

before mentioned; or shall upon any Account or Pretence whatsoever, take or receive more than the Sum of One Shilling, herein before allowed for his or her Attendance, in order to be Discharged of such Prisoner or Prisoners, as aforesaid, or shall Detain the Prisoner after he or she shall be Discharged, as aforesaid; or if the Printer of the Dublin Gazette shall neglect or refuse to Insert therein the Name, Trade, or Occupation, and last Place of Abode, of such Prisoner, on a reasonable Request to him Made for that Purpose, or shall take or receive any Fee or Gratuity, more than one Penny, as aforesaid: For so doing every such Sheriff, Goaler and Keeper of such Prison or Prisons, and such Printer of the Dublin Gazette, shall respectively forfeit and pay to each Prisoner the Sum of Twenty Pounds, which shall and may be recovered, with Treble Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of the Courts of Record in this Kingdom, wherein no Essoign, Protection or Wager of Law, or more than one Imparlance shall be allowed.

And be it further Enacted by the Authority aforesaid, That if any such Sheriff or Sheriffs, Goaler or Goalers or Keeper of any Prison, shall, in taking any of the aforementioned Oaths, wilfully forswear or Perjure himself, and shall thereof be Lawfully Convicted, such Sheriff, Goaler or Keeper of such Prison or Prisons, over and above such

such Penalties as may be Inflicted on Persons Convicted of Perjury, shall, upon every such Conviction, Forfeit and pay the Sum of Five hundred Pounds, to be recovered, with full Costs, by Bill, Plaint, or Information, or Action of Debt, in any of his Majesty's Courts at Dublin, wherein no Essoign Protection, Wager of Law, or other Delay to be allowed, by and in the Name of such Persons, their Executors, and Administrators, as shall in pursuance of this Act, be appointed Assignees of the Estate and Effects of the Prisoner or Prisoners, for the Discharging of whom, such Perjury shall be Committed, and for want of such Assignees, in the Name or Names of any other Creditor or Creditors, who will Sue for the said Penalties: To be applied, one Moiety to the Informer or Informers, and the other Moiety towards the Satisfaction of the Debts of such his Creditor and Creditors. CHAP. XVII.

And be it further Enacted by the Authority aforesaid, That if any person who now is, or was on the said Twenty fourth Day of June, One thousand seven hundred and fifty five, Sheriff, Goaler or Keeper, of any Prison, shall Insert in any List or Lists, delivered in as aforesaid, the Name or Names of any Person or Persons who was or were not Prisoner or Prisoners, actually in Custody, on the said Twenty fourth Day of June, One thousand seven hundred and fifty five, according to the Tenor of the said Oath,

taken at the Time of delivering in such Lists, every such Sheriff, Goaler or Keeper, shall, for every Name so Inserted, as aforesaid, Forfeit and Pay the Sum of Two hundred Pounds, to be recovered in the same Manner, and applied to the same Use or Uses, as is herein before directed, for the Recovery of the Penalty, and Forfeiture in Case of Conviction of Perjury.

And be it further Enacted by the Authority aforesaid, That if any Clerk of the Peace shall Delay or Refuse to Give every or any such Prisoner so Discharged, as aforesaid, within Sixty Days after His or Her Discharge, a Duplicate of His or Her Discharge, on the Payment of Two Shillings, or shall take more than Two Shillings for such Duplicate, such Clerk of the Peace shall Forfeit and Pay, to every such Prisoner, the Sum of Twenty Pounds, to be Ordered to be paid by the Justices of the Peace, at their General or Quarter-Sessions of the Peace; who are hereby Impowered to Levy the same by Distress and Sale of the Goods of the Person so Offending.

And be it further Enacted by the Authority aforesaid, That if any Prisoner, as aforesaid, or any Person or Persons Enabled to take the Benefit of this Act, shall Forswear or Perjure Himself, Herself, or Themselves, in any of the Matters aforesaid,

ſaid, and ſhall be thereof lawfully Convicted of Wilful Perjury, He or She ſhall be Adjudged a Felon, and Suffer as ſuch, without Benefit of Clergy.

And be it further Enacted by the Authority aforeſaid, That no Perſon, to be Diſcharged by this Act, ſhall at any Time hereafter be Impriſoned, by reaſon of any Judgment or Decree Obtained for Payment of Money only, or for any Debt, Damages, Contempts, Coſts, Sum or Sums of Money, Contracted, Incurred, Occaſioned, Owing or Growing Due before the ſaid Twenty fourth Day of June, in the Year One thouſand ſeven hundred and fifty five, with reſpect to the Priſoners then actually in Cuſtody, as aforeſaid, who are Intitled to the Benefit of this Act: But that on all and every Arreſt upon every ſuch Judgment or ſuch Decree, or for ſuch Debts, Damages, Contempts, Coſts, Sum and Sums of Money, it ſhall and may be lawful for any Judge of the Court where the Proceſs Iſſued, upon ſhewing the Duplicate of ſuch Priſoners Diſcharge or Diſcharges, to Releaſe and Diſcharge out of Cuſtody, ſuch Priſoner or Priſoners, as aforeſaid, and the Judge is hereby Impowered ſo to do, ſo as every ſuch Priſoner or Priſoners Arreſted or Detained upon Execution or Meſne Proceſs, do give a Warrant of Attorney to Appear to every ſuch Action, and to Plead thereunto.

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And be it further Enacted by the Authority aforesaid, That if any Action of Escape, or any Suit, or Action or Actions be brought against any Justice or Justices of the Peace, Sheriff, Goaler, or Keeper of any Prison, for performing their Office, in pursuance of this Act, They may plead the General Issue, and give this Act in Evidence; and if the Plaintiff be Nonsuited, or Discontinue His Action, or Verdict pass against Him, or Judgment upon Demurrer, the Defendant shall have Treble Costs. Provided that the Discharge of any Person, by Virtue of this Act, shall not acquit any other Person from such Debt, Sum, or Sums of Money, or any part thereof: But that all Others shall be Answerable for the same, in such Manner as they were before the passing of this Act.

Provided allways, And be it Enacted by the Authority aforesaid, That notwithstanding the Discharge of the Person of such Prisoner or Prisoners, as aforesaid, all and every Debt or Debts Due or Owing from the said Prisoner or Prisoners, and all and every Judgment or Judgments Had and Taken, and Decree obtained against Him or Her, shall Stand, and be Good and Effectual in Law, to all Intents and Purposes, against the Lands, Tenements and Hereditaments, Goods and Chattels of the said Prisoner, so Discharged, as aforesaid, which He, She, or They, or any Person or Persons in Trust for Him, Her, or Them, at the Time of such Discharge,

charge, hath or have, or at any Time hereafter may be in any wise Seized or Possessed of, Interested in, or Intitled to, either in Law or Equity; except His, Her, or Their Wearing-Apparel, Bedding for His, Her, or Their Families, and Working-Tools, and Implements necessary for His or Their Occupations, not exceeding the Value of Ten Pounds in the Whole; and it shall and may be lawful to and for such Creditor or Creditors of such Prisoner or Prisoners, so Discharged as aforesaid, His, Her, or Their Executors or Administrators, to take out a new Execution against the Lands, Tenements, Hereditaments, Goods and Chattels, of such Prisoner or Prisoners, except as before is excepted, for the Satisfaction of His, Her, or Their Debts, in such Sort, Manner, and Form, as He, She, or They might have done, if the Person or Persons of such Prisoner or Prisoners had never been Taken in Execution; Any Act, Statute, Law, or Custom to the Contrary, in any wise, notwithstanding. CHAP. XVII.

And, that it shall and may be lawful for any Person Discharged by this Act, in Case any Scire Facias, or Action of Debt shall be brought against Him or Her, upon any Judgment obtained against Him or Her, or Statute or Recognizance Acknowledged by Him or Her, before the said Twenty fourth Day of June, One thousand seven hundred and fifty five, with Respect to Prisoners in

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Actual Custody, on the said Twenty fourth Day of June, One thousand seven hundred and fifty five, to plead Generally in Discharge of His or Her Person or Persons from Execution, That He or She was actually in Custody, as aforesaid, at such a Person's Suit, on the said Twenty fourth Day of June, One thousand seven hundred and fifty five, and was and were duly Discharged according to this Act, at the General or Quarter-Sessions, held at such a Time and Place, for such a County, County of a City, Liberty, or Town-Corporate, or Place, as His, Her, or Their Case is, without pleading any Matter Specially. And in Case any other Action or Suit shall be Commenced against Him, Her, or Them, for any other Debt, Sum, or Sums of Money, Due before the said Twenty fourth Day of June, One thousand seven hundred and fifty five, to plead in Discharge of His or Her Execution, over and above such Matters, as aforesaid, that such Debt or Sum of Money, as the Case shall happen, was Contracted or Due before the said Twenty fourth Day of June, One thousand seven hundred and fifty five, without pleading any other Matter specially, whereto the Plaintiff shall or may Reply Generally, and Deny the Matters pleaded, as aforesaid, or Reply any other Matter or Thing which may shew the said Defendant not to be Intitled to the Benefit of this Act, or not duly Discharged according to it, in the same Manner as the Plaintiff might have

have replyed, in case the Defendant had pleaded this Act, and his Discharge by Virtue of this Act, specially; and if the Plaintiff be Nonsuited, or Discontinue his Action, or Verdict pass against him, or Judgment on Demurrer, the Defendant shall have Treble Costs.

And be it further Enacted by the Authority aforesaid, That every Sheriff, Goaler or Keeper of a Prison, shall and is hereby Required, to suffer in the Day Time, any Person or Persons desiring the same, to see, and speak within the Lodge, or some Convenient Room of the said Prison, any Prisoner or Prisoners whose Names are Inserted in the aforementioned List or Lists, or Dublin Gazette, or either of them; and also, to see in the True and Genuine Books of the said Prison, the Entries made of the Name or Names of such Prisoner or Prisoners; together with the Name or Names of the Person or Persons at whose Suit or Suits he, she, or they are Detained: And if any such Sheriff, Goaler, or Keeper, shall Neglect or Refuse to Comply with what is here above Required, such Sheriff, Goaler or Keeper, shall Forfeit and Pay to the Person so Refused, and Aggrieved, the Sum of Forty Pounds, over and above all other Penalties provided by any other former Law now in being, to be Recovered with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information in an of his Majesty's Courts

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of Record, wherein no Essoign, Protection, Wager of Law, or more than one Imparlance shall be allowed.

And be it further Enacted by the Authority aforesaid, That if any Prisoner, being thereunto Required by any Creditor, shall Refuse to Discover and Declare their Trade, and Occupation, and Habitation, or last place of Abode, of the Person or Persons at whose Suit he or she are Detained, or being called for, shall Refuse to come to the Lodge of the Prison wherein he or she is Detained, such Prisoner shall, upon Proof thereof before the Justices at the General or Quarter-Sessions, be Uncapable of Receiving any Benefit by this Act; any thing herein contained to the Contrary thereof, in any wise, notwithstanding.

And be further Enacted by the Authority aforesaid, That if any Sheriff, Goaler, or Keeper of any Prison or Prisons, shall make or cause to be made, any false Entries in any Book or Books belonging to the said Prison, or shall Prepare, or Keep, or cause to be Prepared and Kept, any false Books, in Order for such False Entries, such Sheriff, Goaler, or Keeper, shall, over and above the Penalties which may be Inflicted for such Fraud, Forgery or Corruption, Forfeit and Pay the Sum of One thousand Pounds, to be Recovered with Treble Costs of such Suits, by and in the Name of any Person

or

or Persons who will Sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record, in Dublin, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlance shall be allowed. CHAP. XVII.

Provided also, And be it Enacted by the Authority aforesaid, That all and every Prisoner or Prisoners, petitioning to be Discharged, by this Act, shall, at the Time of such petitioning, leave with the Justice or Justices petitioned, a true Copy of the Schedule Containing his intended Discovery, to be Shown unto at the General or Quarter-Sessions aforesaid; which Copy shall be Transmitted to the respective Clerks of the Peace, and there to be seen without Fee or Reward, by any Creditor desiring the same.

And be it further Enacted by the Authority aforesaid, That all Debtors and others who were in Prison on or before the Twenty fourth Day of June, One thousand seven hundred and fifty five, in the several Goals in this Kingdom, for Want of paying their Fees, Rents, Charges, or any other Demands Due to the Keeper or Goaler of any Prison respectively, or to any other Officer, and upon no other Account, shall be Discharged, he, she or they, taking the Oath Required by this Act to be Taken by Prisoners.

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Provided allways, That this Act shall not Extend to Discharge any Person out of Prison, seeking his or her Discharge under this Act, with Respect to any Debt with which he or she shall stand Charged at the Suit of the Crown, or who shall be Indebted to any one Person in any Sum or Sums exceeding the Sum of Two hundred Pounds, exclusive of Interest and Costs, or in the whole exceeding eight hundred Pounds, exclusive of Interest and Costs.

Provided allways, That every Person or Persons, Intitled, or to be Intitled to the Benefit of this Act, who was, or were Prisoners, in actual Custody, on the said Twenty fourth Day of June, One thousand seven hundred and fifty five, shall Obtain their respective Discharges on or before the first Day of August, in the Year of our Lord, One thousand seven hundred and fifty eight, or be for ever Excluded from the Benefit thereof.

And whereas, several Persons who were Confined in Prison on the said Twenty fourth Day of June, One thousand seven hundred and fifty five, may have been Removed to some other Prison, by Process of Law;

Be it further Enacted by the Authority aforesaid, That the Goaler of the Prison wherein any such Prisoner was Confined on the said Twenty fourth Day of June, One

One thouſand ſeven hundred and fifty five, ſhall make Affidavit of ſuch Confinement, and ſhall Tranſmit ſuch Affidavit to be Atteſted on Oath, at the Seſſions where ſuch Priſoner may claim to be Diſcharged: And it ſhall and may be Lawful for the Juſtices of the Peace, at ſuch Seſſions, as aforeſaid, upon ſuch Oaths, as aforeſaid, and upon ſuch Priſoners performing all other Matters Required in this Act, to Diſcharge ſuch Priſoners. CHAP. XVII.

And whereas the Priſon of the Four Court Marſhalſea, is the Priſon of, and belonging to the Superior Courts, and for the moſt part Containeth ſuch Priſoners as have brought themſelves thither by Habeas Corpus from other Priſons, or have Surrendered themſelves in Cuſtody, in Diſcharge of their Bail, which could not be done without their own Conſent or Procurement:

Be it therefore Enacted by the Authority aforeſaid, That every Perſon ſo coming to the ſaid Priſon, either by Habeas Corpus, or Voluntary Surrender in Diſcharge of Bail, and being Qualified to take the Benefit of this Act, in all Reſpects, according to the true Intent and Meaning thereof, ſhall be Diſcharged or Intitled to any other Benefits ariſing thereby, on taking the Oath that is hereby Preſcribed, for each Priſoner to Take, Omitting only the Words, Without my Conſent or Procurement; And with

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respect to their being a Prisoner or Prisoners in the Prison above mentioned, only; any thing herein Contained to the Contrary, notwithstanding.

And whereas it may happen, that several persons who may Claim and be Intitled to the Benefit of this Act, are Seized of an Estate Tail, in any Freehold, Tenements or Hereditaments; which Intail, with the Remainders thereupon Expectant, they have by Law, Power to Defeat and Bar, either by levying a Fine or Fines, suffering a common Recovery or Recoveries, or by Surrender or Surrenders thereof, and thereby such person or persons, said Freehold, Lands, Tenements and Hereditaments, should be Lyable to the Payment of their Debts, and be Delivered up according to the Terms of this Act, for the Benefit of their Creditors;

Be it therefore Enacted by the Authority aforesaid, That in every such Case, such person or persons, so Seized as aforesaid, and who shall be Intitled unto, and Claim the Benefit of this Act, shall, to all Intents and Purposes whatsoever, in Law, be Deemed and Taken, and is hereby Declared to be Seized of such Lands, Tenements, and Hereditaments, in Fee Simple, and the same shall be Delivered up to the Creditor or Creditors, in the same manner, as if such person or persons had actually Levyed a

Fine

Fine or Fines, ſuffered a common Recovery or Recoveries, or made a Surrender or Surrenders thereof, and thereby had become Seized in Fee Simple; any Law or Conſtruction of Law, to the Contrary, in any wiſe, notwithſtanding. CHAP. XVII.

And whereas many Priſoners who may be Intitled to, and may Claim the Benefit of this Act, have been great Dealers, or otherwiſe Engaged in large Tranſactions, whereby they may be Intitled to ſundry and great Debts, and Demands of Various and Intricate Natures, as they may be Intitled to Equity of Redemption of Eſtates, Subject and Lyable to Mortgages, Judgments, or other Incumbrances, or to Reverſions, Remainders, or to other Contingent Eſtates, in Lands, Tenements or Hereditaments, or to other Truſts in Eſtates, both Real and Perſonal, which may be not Sufficiently Deſcribed, or Diſcovered in the Schedule or Inventory before Directed, to be Delivered in, upon Oath, by the Priſoner to be Diſcharged as aforeſaid, or which may want his Aid and Aſſiſtance to Adjuſt, Make out, Recover, or Manage, for the Benefit of the Creditors;

Be it therefore Enacted by the Authority aforeſaid, That it ſhall and may be Lawful to and for the reſpective Aſſignees of the Eſtate and Effects of ſuch Priſoner or Priſoners who ſhall Obtain his, her, or their Diſcharge, in purſuance of this Act, or any

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other Person or Persons duly Authorized by them for that Purpose, from time to time, to Apply to two or more Justices of the Peace for the County, City, Town, or Liberty, where such Prisoner or Prisoners shall be then Residing, thereby desiring that such Prisoner or Prisoners, may be further Examined as to any Matter or Thing relating to his, her, or their Estate, or Effects, whereupon such Justices shall send for, or call before them, such Prisoner or Prisoners, by such Warrant, Summons, Ways, or Means as they shall think fit; and upon such Prisoners appearing, shall Examine him or them, as well upon Oath as otherwise, as to such Matters and Things as such Assignees should Desire, relating to the Estate or Effects of such Prisoner or Prisoners: And if any such Prisoner or Prisoners, on Payment or Tender of Payment, of such reasonable Charge, as such Justices shall think Sufficient, shall Neglect or Refuse to come and appear, not having a Lawful Excuse, to be Made known to such Justices, and by them Allowed, or being come before them, shall Refuse to be Sworn, or to answer all such Questions as by such Justices shall be put to him, her or them, relating to the Discovery of his, her, or their Estate or Effects, so Vested, or Intended to be Vested in such Clerk of the Peace, or in such Assignees as aforesaid, That then it shall and may be Lawful, to and for such Justices, by Warrant under

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der their Hands and Seals, to Apprehend such Prisoner, or Prisoners, so Offending as aforesaid, and him, her or them, to Commit to the County Goal, there to remain without Bail or Mainprize, until such Time as he, she, or they Submit him, her or themselves to such Justices, and to answer, upon Oath, to all such Questions as shall, by such Justices be put to him, or her, or them, for the Purpose aforesaid.

And be it Enacted by the Authority aforesaid, That all and every Person and Persons who shall, within Twelve Months after the Discharge of any such Prisoner or Prisoners, Voluntarily come in, and make a Discovery of any part of such Debtor or Debtors Real or Personal Estate as shall not have been Comprized in such Schedule, as aforesaid, before any such Justices aforesaid, shall be Allowed after the Rate of Twenty Pounds per Cent, out of the neat Produce of such Debtor or Debtors Estate, which shall be Recovered on such Discovery, and which shall be Paid such Person or Persons so Discovering the same, by the Creditor and Creditors who shall Receive and be Intitled to any Benefit and Advantage by such Discovery.

Provided always, And be it Enacted by the Authority aforesaid, That notwithstanding the Discharge of any Prisoner or Prisoners by virtue of this Act,

if it shall appear hereafter, that the same was obtained fraudulently, the same shall be void and of none Effect. And for the better Discovery of all such Prisoners Estates;

Be it Enacted by the Authority aforesaid, That all and every Person or Persons who shall have Accepted of any Trust or Trusts, and shall Conceal and Protect any Estate, Real or Personal, of any Prisoners Discharged by this Act, as aforesaid, from his her or their Creditors, and shall not, within forty Days after Notice thereof given to him, her or them in Writing, by any Creditor or Creditors, of such Prisoner, Discover and Disclose such Trust, and Estate, by Notice in Writing, to be Filed with the Clerk of the Peace of such County, County of a City, Town, or Liberty, where such Prisoner was Discharged by this Act, thereby Setting forth all the said Estate, whether Real or Personal, so intrusted with him, her or them, shall for every such Default, or Wilful Omission, forfeit double the Value of such Estate, Real or Personal, or Sum Concealed; to be recovered by the respective Assignee or Assignees, of the Estate and Effects of such Prisoner, for the Use of the Creditors, by Bill, Plaint or Information, or Action of Debt, in any of his Majesty's Courts of Record in Dublin, in which no Essoign, Protection, or Wager of Law shall be allowed, or more than one Imparlance.

And

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And whereas several persons who are Prisoners for Debt, chuse rather to Continue in Prison, and spend their Substance there, than discover and deliver up to their Creditors, their Estates and Effects, in order to the Satisfaction of their just Debts;

Be it therefore Enacted by the Authority aforesaid, That it shall and may be lawful to and for any One or more of the Creditors of any Prisoner Committed before the Twenty fourth Day of June, One thousand seven hundred and fifty five, at whose Suit he or she was Detained in Prison, upon the said Twenty fourth Day of June, One thousand seven hundred and fifty five, whether such Prisoner be or be not indebted to the Amount of the Sums herein before mentioned, upon Thirty Days Notice in Writing, to be given to such Prisoner, and the Person in whose Custody he or she is, to Apply, by Petition, to a Justice of the Peace, who shall thereon Issue a Warrant, Requiring the Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of the Prison wherein such Prisoner is Detained, to bring such Prisoner before the Justices, at their next General or Quarter-Sessions of the Peace, for their respective County, City, Town or Liberty, with the Warrant or Warrants of his or her Detainer; together with a Copy or Copies of the Cause or Causes which he or she is Charged with; which

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Warrant of the said Justice, such Sheriff, Goaler, or Keeper of any Prison, is Required to Obey, under the like Penalty, as in Case of Refusal, at the Instance of a Prisoner, Requiring the Benefit of this Act; And such Prisoner, coming before such Justices, at the said General or Quarter-Sessions, shall, at the Desire of One or more of His or her Creditors, at whose Suit He or She appears to be Detained, be obliged to Deliver up on Oath, and Subscribe the like Schedule of His or Her Estate and Effects; which Estate and Effects, if they are found to be of greater Value than is sufficient to Pay all the Debts of such Prisoner, or if they be Accepted as Sufficient, by the Major Part, in Number and Value, of such Prisoners Creditors, and not otherwise, shall be Vested, Assigned, and Proportionably Divided, for the Benefit of His or Her Creditors, in the like Manner as Persons Desiring to Take the Benefit of this Act, are Required to do, subject to the same Penalties, of being Adjudged a Felon, and Suffering as such, without the Benefit of Clergy, on Conviction of Wilful Perjury therein, as the said other Prisoners are hereby subjected to; and shall, upon such Discovery, to the Satisfaction of the said Justices, in Their said General or Quarter-Sessions, or the Major Part of Them, and on such Assignment to the Clerk of the Peace, be Discharged, and Set at Liberty, in the same Manner, and with the same Benefit

Benefit of making Use of their Discharge, as is hereby provided for Prisoners seeking their Discharge under this Act. And if any such Prisoner, so brought up, as aforesaid, shall Neglect and Refuse to Deliver in, and Subscribe such Schedule, within Sixty Days after being so Required by the said Justices, he, She, or They, so Neglecting or Refusing, shall, upon Conviction thereof, be Adjudged Guilty of Felony, and shall Suffer Death, as a Felon, without Benefit of Clergy. CHAP. XVII.

Provided always, That the Creditor or Creditors, who intend to Compel such Prisoners to Deliver in such Schedule of their Estate and Effects, do give Publick Notice thereof in the Dublin Gazette, Thirty Days at least, before the said General or Quarter-Sessions, to the End that the other Creditors of such Prisoners may be Apprized thereof, and come in for their Distributive Share, which they are hereby Impowered to do, in like Manner as is Provided for the Creditors of Persons seeking their Discharge under this Act.

And be it further Enacted by the Authority aforesaid, That the Oath to be Taken by the Prisoner, Delivering in any Schedule, at the Desire of One or more of his or her Creditors, according to the Provision hereby made for that Purpose, shall be in the Words following (that is to say)

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I *A. B.* Do, upon my Corporal Oath, in the Presence of Almighty God, solemnly Swear, Protest, and Declare, That the Schedule now Delivered, and by me Subscribed, doth Contain, to the best of my Knowledge, Remembrance, and Belief, a full, just, true, and perfect Account and Discovery of all the Estate, Goods and Effects, unto me, in any wise, belonging; and such Debts as are to me Owing, or to any Person or Person in Trust for me; and of all the Sureties and Contracts, whereby any Money now is, or will, or may hereafter become Payable, or whereon any Benefit or Advantage may Accrue to me, or to my Use, or to any Person or Persons in Trust for me; and the Names and Places of Abode of the several Persons from whom such Debts are Due and Owing, and of the Witnesses that can Prove such Debts and Contracts, and that neither I nor any other Person or Persons in Trust for me, have Lands, Money, Stock, or any Estate, Real or Personal, in Possession, Reversion, or Remainder, other than what are in the said Schedule contained, excepting Wearing-Apparel, Bedding for myself and Family, Working-Tools, and necessary Implements for my Occupation and Calling, and these, in the Whole, not exceeding the Value of Ten Pounds; And that I have not, directly, nor indirectly, Sold, Lessened, or otherwise Conveyed, Disposed of, in Trust, or Concealed, all, or any Part of my Lands, Money, Goods, Chattels, Stocks, Debts, Securities, Contracts, or Estates, Real or Personal, whereby to Secure the same, to Receive

or

or Expect any Profit or Advantage thereof, or to Defraud or Deceive any Creditor or Creditors to whom I am indebted, in any wise, howsoever.

And such Prisoner shall be obliged to Undergo the like Examination on the Application of the Assignee or Assignees of his or her Estate and Effects, as Prisoners seeking their Discharge by this present Act, are Required to Undergo, and subject to the like Commitment, for Refusing to Appear or Answer upon Oath, as is before Provided for the said other Prisoners.

And to the Intent and Purpose that the Estate and Effects of such Prisoner or Prisoners as shall be Discharged by Virtue of this Act, may be truly and faithfully Applied for the Benefit of His or her Real Creditors;

Be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the respective Courts of Dublin, from whence any Process issued, upon which such Prisoner or Prisoners was or were Committed, whose Effects are so Assigned, or where the Process Issued out of any other Court, to and for the Judges of the Courts of King's-Bench, Common-Pleas and Exchequer, or any Two of Them, from Time to Time, upon Petition of any Creditor or Creditors of such Prisoner or Prisoners complaining of any

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Insufficiency, Fraud, Wilmanagement, or other Misbehaviour of all or any of the Assignees, to whom the Estate or Effects of such Prisoner or Prisoners shall be Assigned by such Clerk of the Peace, as aforesaid, upon hearing the Parties concerned therein, to make and give such Orders and Directions therein, either for the Removal or Displacing of such Assignee or Assignees, and the Appointing any New Assignee or Assignees, in the Place or Stead of the Assignee or Assignees so to be Removed or Displaced, or for the Prudent, Just and Equitable Management or Distribution of the said Estate and Effects, for the Benefit of the respective Creditors, as the said Courts or Judges shall respectively think fit: And in Case of their Removal or Displacing of any Assignee or Assignees, and the Appointment of any such New Assignee or Assignees, the Estate and Effects of such Prisoner or Prisoners shall from thence forth be Divested out of the Assignee or Assignees, so Removed or Displaced, and be Vested in, and Delivered over to such New Assignee or Assignees, in the same Manner, and for the same Ends, Intents, and Purposes, as the same were before Vested in the Assignee or Assignees, as aforesaid; Any Thing in this Act contained to the Contrary, notwithstanding.

Provided allways, And be it Enacted by the Authority aforesaid, That in all and every Case or Cases, where mutual Credit hath

hath been given between any Prisoner or Prisoners to be Discharged in Pursuance of this Act, and any other Person or Persons, or Body Politick or Corporate, before the Delivery of such Schedule or Inventory of the Estate and Effects of such Prisoner or Prisoners, upon Oath, as aforesaid, then, and in every such Case, the respective Assignees of such Prisoner or Prisoners, shall, and have hereby Power, on their Part, to State and Allow an Account between Them; and nothing more shall be deemed to be Vested in such a Clerk of the Peace, or such Assignees, as the Estate or Effects of such Prisoner or Prisoners, than what shall appear to be Due to Him, Her, or Them, respectively, for the Ballance of such Account, when truly Stated.

And whereas great Numbers of poor People have been, and now are Imprisoned for Debt, upon Process issuing out of Courts of Conscience, and have hitherto been Deprived of the Benefit of the several Acts Passed for the Relief of Insolvent Debtors;

Be it Enacted and Declared by the Authority aforesaid, That all such Prisoners shall be Intitled to have the Benefit of this Act, and be Discharged thereby; Provided He, She, or They Conform to the Directions herein Prescribed.

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Provided allways, That nothing herein Contained, shall Extend, or be Deemed, Construed, or Taken to Extend, to give any Benefit, Ease, Discharge, or Relief, to any Person or Persons whatsoever, now in Custody of any Marshal, or Goaler, within this Kingdom of Ireland, at the Suit of any Person or Persons, Bodies Corporate or Politick, for Rent, or Arrears of Rent, which became Due and payable out of any Lands, Tenements, or Hereditaments, where He, She, or They, Owing such Rent, or Arrears of Rent, or any other Person or Persons Deriving by, from, or under Him, Her, or Them, is, or are in Possession of all or any such Lands, Tenements, or Hereditaments; or to any Person or Persons now in Custody, at the Suit of any Person or Persons, Bodies Corporate or Politick, for any Maim or Assault, or for any Publick Money Received by any Person or Persons whatsoever, in Custody for the same.

Provided also, That no Person, who, as Guardian, Trustee, Executor, or Administrator, is Indebted to any Person or Persons, shall be Intitled to the Benefit of this Act, unless where any Creditor or Creditors, to whom such Person or Persons is, or are Indebted, shall apply in manner before Directed to Oblidge such Guardian, Trustee,

Truſtee, Executor or Adminiſtrator, to take the Benefit of the ſame. CHAP. XVII.

Provided alſo, That all Perſons who have Conveyed, Imbezeled, Received, or Converted to their own Uſe, any Monies, Goods, Wares or Merchandizes of Perſons who have Employed, or Intruſted them, ſhall be Excluded from receiving any Benefit or Advantage by this Act.

And be it further Enacted by the Authority aforeſaid, That in all Caſes wherein by this Act, an Oath is Required, the Solemn Affirmation of any Perſon being a Quaker, ſhall and may be accepted, and Taken in Lieu thereof; and every Perſon making ſuch Affirmation, who ſhall be Convicted of Wilful and falſe Affirming, ſhall Incur and Suffer ſuch Penalties as are Inflicted and Impoſed by this Act, upon Perſons Convicted of Wilful Perjury.

And whereas great Numbers of Workmen, Skilful in the ſeveral Trades and Manufactures of this Kingdom; and alſo, many able Seamen and Mariners, finding themſelves unable to Satisfy the Whole of their reſpective Debts, and Dreading the Miſeries of a Goal, have choſe to leave their Employments and Native Country, and have Entered themſelves in Foreign Service:

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And whereas their Continuance abroad, must be of great Prejudice to the Trade of this Kingdom: in Order therefore to induce and Enable such persons to Return;

Be it Enacted by the Authority aforesaid, That all and every Debtor and Debtors, who was and were actually beyond the Seas, on the first Day of June, One thousand seven hundred and fifty five, who shall Return and Surrender unto the Goaler or Goalers, Keeper or Keepers of the Four-Court Marshalsea, or Black Dog, or to the Prison or Prisons of such County or Counties where such Debtor or Debtors last Dwelt for the Space of six Months, which said Goaler or Goalers, Keeper or Keepers, are hereby Required and Impowered, to Receive and Detain, such Debtor or Debtors, Surrendering as aforesaid, in Order to their Discharge, as herein after mentioned, shall, from and immediatly after such Surrender as aforesaid, be deemed a Prisoner or Prisoners within, and be to all Intents and Purposes Intitled to the Benefit of this Act, and shall, upon due Proof of the said Premisses, by the Oath of such Debtor or Debtors not Disproved of by any Credible Witness, be Discharged in the same Manner as if he, she, or they had been actually in Prison on the said Twenty fourth Day of June, One thousand, seven hundred and fifty five, and continued therein, as aforesaid;

Subject

Subject nevertheless to the same Restrictions and Provisions, and upon Compliance with the same Terms, Conditions and Qualifications herein before Imposed upon the said Prisoners actually in Custody upon the said Twenty fourth Day of June, One thousand seven hundred and fifty five; and also, Subject to the Terms and Provisions, relating to the Estate and Effects of such Prisoner as aforesaid, excepting only such Particulars thereof, as require the Name of a Prisoner to be Inserted in the Sheriffs, Goalers, or Keepers List, as aforesaid, or relate to the Oaths of such Sheriff, Goaler, or Keeper herein before appointed to be Taken, which Particulars cannot possibly be applied to the Case of Persons Surrendering themselves, as aforesaid; and also, except the said Oath herein before Appointed, to be Taken by Prisoners in Custody upon the said Twenty fourth Day of June, One thousand seven hundred and fifty five, in stead whereof, the said Person or Persons, so Surrendering, shall Take an Oath to the Effect following; which the said Justices, Authorized to put this Act in Execution, are hereby Required and Impowered to Administer, in such Manner, as the Oaths herein before mentioned, are to be Administered; CHAP. XVII.

I *A. B.* Do, upon my Corporal Oath, in the Presence of Almighty God, Solemnly Swear, Protest, and Declare, that I was actually on the said First Day of *June*, One thousand seven hundred

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dred and fifty five, beyond the Seas in Foreign Parts, *Videlicet*, at and that the Schedule now Delivered, and by me Subscribed, doth Contain, to the best of my Knowledge, Remembrance, and Belief, a Full, Just, True, and Perfect Account, and Discovery of all the Estate, Goods, and Effects, to me any wise belonging; And such Debts as are to me Owing, or to any Person or Persons in Trust for me, and all the Securities and Contracts whereby any Money now is, or will, or may hereafter become Payable, or any Benefit or Advantage Accrue to me, or to my Use, or to any other Person or Persons in Trust for me; and the Names and Places of Abode of the several Persons from whom such Debts are Due and Owing, and the Witnesses that can prove such Debts, or Contracts; and that neither I, nor any other Person or Persons in Trust for me, have Land, Money, Stock, or any Estate, Real or Personal, in Possession, Reversion, or Remainder, other than what are in the said Schedule Contained, except Wearing Apparel, Bedding for myself and Family, Working Tools, and Necessary Implements for my Occupation and Calling; and those in the whole not exceeding the Value of Ten Pounds; and that I have not Directly, nor Indirectly Sold, Lessened, or otherwise Conveyed, Disposed of in Trust, or Concealed, all or any part of my Land, Money, Goods, Chattels, Stocks, Debts, Securities, Contracts, or Estates, Real or Personal, whereby to secure the same, to Receive or Expect any Profit or Advantage thereof; or to Defraud or

Deceive

Deceive any Creditor or Creditors, to whom I am Indebted in any wise howsoever; So help Me God. CHAP. XVII.

Provided allways, And be it Enacted by the Authority aforesaid, That all such Fees, Lodging, Chamber-Rent, and Sums of Money, Advanced for the Necessary Support of Prisoners, in the Prison of the Four-Courts Marshalsea in Dublin, as shall be Due to the Marshals or Keepers of the said Marshalsea, shall be paid to the said Marshals, by such Prisoners, Discharged by this Act; And the said Marshals, or Keepers of the said Marshalsea, are hereby Authorized and Impowered to Demand, Receive, and Take the same; any thing in this Act Contained to the Contrary, in any wise, notwithstanding.

And whereas William Lyndon, late of the City of Dublin Merchant, in the Year One thousand seven hundred and forty eight, failed in his Credit and Circumstances, and became a Bankrupt, and Unable to Satisfy his several Creditors their several Demands against him, but Purposing to do all the Justice in his Power, procured a Meeting of his Creditors, before whom he laid a State of his Affairs, and hath since Vested his whole Effects and Substance in Trustees for that Purpose Appointed, for the Use of his said Creditors, to be equally Distributed among them.

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And whereas above two Thirds of his Creditors, both in Number and Value, were and still are willing to Accept of the said Composition, but some few of the said Creditors Refuse to Accept of any Composition whatsoever; by Means of which Refusal, the Good Inclinations of the said William Lyndon, are Frustrated, and he is obliged to Abscond, and Withdraw himself out of this Kingdom, and live in Foreign parts; and the Creditors of the said Lyndon, who are Willing to Accept of the Composition offered, are Prevented from Receiving their Distributive Share of his Estate and Effects, and have Prayed to be Relieved;

Be it Enacted by the Authority aforesaid, That the said William Lyndon, upon Surrendering himself to the Marshal of the Four-Courts of the City of Dublin, on or before the First Day of November, One thousand seven hundred and fifty six, shall be deemed a Prisoner actually in Custody, within the Meaning of this Act; and that the Creditors of the said William Lyndon, may have and Receive their several Demands against him, out of the Estates and Effects of the said William Lyndon, by such Ways and Means, and in such Manner and Form, as by this Act is Directed.

Provided also, and be it Enacted by the Authority aforesaid, That nothing in this

Act

Act shall Extend, or be Construed to Extend to Hinder or Prevent any Custodium, obtained against the said William Lyndon, from taking Place, upon the Lands, Tenements, or Real Estate of the said William Lyndon, preferably and prior to any Division of the Estate or Effects of the said William Lyndon, among his other Creditors, for so much as shall remain really Due upon such Custodiums, in like Manner as such Creditors, by Custodium, would have been preferred to other Creditors of an inferior Nature, against the Real or Personal Estate of the said William Lyndon, if this Act had not been Made; save and except such Custodium or Custodiums, as have, or hath been obtained, by any Person or Persons who have, or hath Made, or Entered into any Contract or Agreement, to accept of a Composition, in Satisfaction of his, her, or their Debt or Demand, against the said William Lyndon.

CHAP. XVIII.

AN

ACT

FOR

Amending and Making more Effectual the ſeveral Laws Relating to the Firſt-Fruits, payable out of the Eccleſiaſtical Benefices in this Kingdom; And for the better Regulation and Management of the Charitable Bequeſt of Doctor *Hugh Boulter*, late Lord Archbiſhop of *Armagh*, for Augmenting the Maintenance of Poor Clergy in this Kingdom.

DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*. M.DCC.LVI.

CHAP.
XVIII.

AN

ACT

FOR

Amending and Making more Effectual the several Laws Relating to the First-Fruits, payable out of the Ecclesiastical Benefices in this Kingdom; And for the better Regulation and Management of the Charitable Bequest of Doctor Hugh Boulter, late Lord Archbishop of Armagh, for Augmenting the Maintenance of Poor Clergy in this Kingdom.

DUBLIN:

Printed by the Executor of George Ashham Grierson, Printer to the King's Most Excellent Majesty, at the King's-Arms and Two Bibles in Essex-Street. M.DCC.LVI.

AN ACT FOR

Amending and Making more Effectual the ſeveral Laws Relating to the Firſt-Fruits, Payable out of the Eccleſiaſtical Benefices in this Kingdom; And for the better Regulation and Management of the Charitable Bequeſt of Doctor *Hugh Boulter*, late Lord Archbiſhop of *Armagh*, for Augmenting the Maintenance of Poor Clergy in this Kingdom.

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WHEREAS Her Late Majeſty Queen Anne, for the Encouragement and Encreaſe of Piety, did, by Letters Patent, under the Great Seal of this Kingdom, bearing Date the Seventh Day of February, in the Tenth Year of her Reign, Give and Grant unto certain Truſtees and Commiſſioners, in the ſaid Letters Patent Named, all, and all Manner of

First-Fruits, issuing out of Ecclesiastical Benefices, payable by the Clergy, in the Kingdom of Ireland, by whatsoever Name the same are called, and by whatsoever Right or Title the same did belong to Her said Majesty, or to the Crown: To the Intent that the said Revenue of First-Fruits, should be Disposed of to the Uses, Intents and Purposes in the said Letters Patent mentioned, according to the Discretion of the said Trustees and Commissioners.

And whereas the said Letters Patent were afterwards Confirmed and Established by an Act of Parliament, passed in the Second Year of the Reign of His Majesty King George the First, [Intituled, An Act for Confirming the several Grants made by Her Late Majesty, of the First-Fruits and Twentieth Parts, Payable out of the Ecclesiastical Benefices in this Kingdom; And also, for giving the Archbishops, Bishops, and other Ecclesiastical Persons, Four Years Time for the Payment of First-Fruits;] And by One other Act of Parliament, passed in the Tenth Year of the Reign of His said Late Majesty, for Amending the said before mentioned Act, passed in the Second Year of the Reign of His said Late Majesty, and for Incorporating the said Trustees and Commissioners of the said First-Fruits, It is Enacted, That the Trustees in the said Letters Patent Named, and the several Persons who, from Time to Time, should respectively be in the same publick Offices

Offices and Employments, and such Persons as should, pursuant to the said last mentioned Act, from Time to Time, be Nominated and Elected into the Place and Room of John, Lord Viscount Percival, and Samuel Dopping, Esquire, should, after the Twenty fifth Day of March, in the Year of Our Lord One thousand seven hundred and Twenty four, be One Body Corporate and Politick, by the Name of the Trustees and Commissioners of the First-Fruits, payable out of the Ecclesiastical Benefices, and should have perpetual Succession; and that the said Corporation, and their Successors, or such Quorum of Them, as in the said Act are mentioned, should and might, by the Name aforesaid, Do, Perform, and Execute all and singular the Acts, Matters, and Things, which by the said Trustees, in the said Letters Patent, and the said former Act Named, might be lawfully Done, Performed, and Executed; CHAP. XVIII.

And whereas the said Trustees, are, by the said Letters Patent, Impowered and Authorized to Purchase Glebes, and Impropriations, where the same are wanting, for the Augmentation of the Maintenance of the poor Clergy, whose Benefices do not afford a Competent Support to the Minister who has the Cure of Souls:

And whereas the Revenue arising from the said Grant of the First-Fruits, is Com-

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puted to Amount only to the Sum of Three hundred Pounds by the Year, or under; and it has been found, that Proper and Convenient Purchases of Glebes, or Impropriations, can seldom be had and Made in Places where the same are most Wanting and Necessary for Carrying the good Design and Intention of the said Letters Patent into Execution, whereby a Considerable part of the Produce of the said small Revenue of the First-Fruits, has frequently Remained, and does now remain Unemployed, for want of Fitting and Convenient Opportunities of Laying out, and Disposing thereof, as aforesaid;

Be it therefore Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That it shall and may be Lawful to and for the said Trustees and Commissioners of the First-Fruits, payable out of Ecclesiastical Benefices, or any Seven or more of them, of whom the Lord Chancellor, Lord Keeper, or First Commissioner of the Great Seal of this Kingdom, one of the Archbishops, and two of the Bishops of this Kingdom; or in the Absence of the said Lord Chancellor, Lord Keeper, or first Commissioner of the Great Seal, One of the Chief Judges of his Majesty's Courts of King's Bench, Common Pleas, or Exchequer

chequer for the Time being; And in the Abſence of the ſaid Chief Judges, then either the Prime Serjeant at Law, or the Attorney General, or Sollicitor General, ſhall allways be four. CHAP. XVIII.

And be it Enacted by the Authority aforeſaid, That they are hereby Authorized and Impowered to lay out at Intereſt all or any part of ſuch Sums of Money, the Produce of the ſaid Revenue of Firſt-Fruits, as now Remain, or ſhall at any Time hereafter Remain, in their Hands, Unemployed, by Veſting the ſame, either in One entire Sum, or in Parcels, in Government, or Parliamentary Securities, either in this Kingdom, or in Great Britain, or in Mortgages of Lands, Tenements, Rents, or Hereditaments, in this Kingdom, as ſhall be Directed and Approved of by the ſaid Truſtees, or ſuch Quorum of them, as aforeſaid; and that they may be Authorized and Impowered, from Time to Time, according to their Diſcretion, to Change or alter ſuch Securities, on which the ſaid Monies or any part thereof, ſhall be ſo Placed out at Intereſt; and in Caſe the Whole or any Part ſhall be Wanted to Anſwer any Demand, for Purchaſes to be Made of Glebes, or Improviations, where the ſame are Wanting for the Augmentation of the Maintenance of the Poor Clergy, it ſhall and may be Lawful for the ſaid Truſtees, or ſuch Quorum of them as aforeſaid, to Direct and Cauſe the ſame, or ſuch Part there-

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of as shall be necessary for such Purposes, to be called in, or the Securities on which the same shall be so Placed out, to be Transferred, as they shall Judge most Convenient; and in Case such Purchases, do not offer, that then the said Trustees, or such Quorum of them as aforesaid, may lay out at Interest, the Annual Produce of the the said Principal Sum or Sums, on the like Securities as are before mentioned.

And for the more Effectual Securing the said Monies, or any part thereof, which shall be so laid out at Interest, upon Goverment or Parliamentary Securities, or Lent to private Persons, upon such Mortgages as aforesaid; and for the better Enabling the said Trustees and Commissioners to Execute the Trusts, by the said Letters Patent, and the said Acts of Parliament, or hereby, in them Vested;

Be it Enacted by the Authority aforesaid, That all such Securities or Mortages, which shall be Made, and Entered into, Assigned or Transferred, by any Person or Persons, Body or Bodies Corporate or Politick, to the said Trustees and Commissioners for Securing the said Monies, or any part thereof, so to be laid out at Interest as aforesaid, shall be as Good and Effectual in Law, to all Intents and Purposes whatsoever, as the same would or could be, if Made, Entered into, Assigned,

Assigned, or Transferred to any other Person or Persons; and that the said Trustees and Commissioners, and their Successors, as a Body Politick and Corporate, shall and may have, and Use all such Actions, and other Remedies, either in Law or in Equity, for Calling in, and Recovering the said Monies, or any Part thereof, and Acquire, Have, and Enjoy such Estate, and Interest in any Lands, Tenements, Rents or Hereditaments, so to be Mortgaged to them, as any other Person or Persons, Bodies Politick or Corporate, could or might have, and Enjoy in the like Cases; and that the said Monies, and all such Securities, so to be Taken for the same, when so laid out at Interest, and the Annual Interest thereof, as well as the Produce of the said Revenue of First-Fruits, shall Remain and be Vested in the said Trustees, for the Uses and Purposes in the said Letters Patent, and the said Acts of Parliament, and herein Expressed for the Augmenting the Maintenance of the poor Clergy in this Kingdom.

And be it further Enacted by the Authority aforesaid, That all and every the Statutes and Provisions Touching or Concerning the Ordering, Levying, and true Answering, and Payment of Qualification of the said First-Fruits, or touching the Charge, or Discharge of them, or any Matter, or Thing relating thereunto, which

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were in Force at the Time of Granting the said Letters Patent, and which have not been Expressly Altered by any Act of Parliament since Made, may be, and be Declared to be, and Remain in full Force and Effect, and be Observed, and put in Due Execution, according to the Tenor and Purport of the same, for such Intents and Purposes, nevertheless, as herein are before mentioned.

And whereas the late Most Reverend Father in God Doctor Hugh Boulter, formerly Lord Archbishop of Armagh, by his last Will and Testament, duly Made and Signed by him, bearing Date the Nineteenth Day of November, in the Year of Our Lord, One thousand seven hundred and twenty nine, did Appoint certain Persons, in his said Will Named, to be his Trustees for what Effects he should Dye possessed off in Ireland; and did Direct, that the Residue of his said Effects, after paying his just Debts, and his Legacies therein mentioned, should be Disposed of to the best Advantage; and that the Money so Raised, should be put out on the best Securities that could be got, in Order to Answer the several Annual Payments, appointed by his said last Will; and did Order after his Legacies were paid, and One hundred and fifty Pounds, Yearly, returned to his then Wife, Elizabeth Boulter, since Deceased, and fifty Pounds a Year to any Child he should

ſhould leave (which laſt Contingency did not happen) if there ſhould be any Overplus of Intereſt, remaining out of his Effects in Ireland, that ſuch Overplus ſhould, by his ſaid Truſtees, be Yearly paid to the Archbiſhop of Armagh, for the Time being, to be Diſpoſed of by the ſaid Truſtees of the Firſt-Fruits, towards Buying of Glebes, or Augmenting poor Livings in this Kingdom; and did (in Caſe of the Death of his ſaid Wife or Child,) Bequeath ſeveral Sums of Money to be Diſpoſed of for other Charitable Uſes in Great Britain, and in this Kingdom; and his Will was, That the Overplus of the Money ariſing from the Sale of his Effects in Great Britain, and the Remainder of the Money he ſhould have in the Stocks there, ſhould be Remitted to his Truſtees in Ireland, to be by them laid out, as by his ſaid Will is Directed; And thereby Ordered, That what ſhould ſtill be Remaining after Payment of his Debts, and Legacies, and ſatisfying the other Charitable Uſes therein Directed, ſhould be paid to his Succeſſors, the Archbiſhops of Armagh for the Time being, to be by them Employed in Augmenting poor Livings, and Buying Glebes, according to the Directions of the Truſtees of the Firſt-Fruits; and did Appoint his then Wife Elizabeth Boulter, ſince Deceaſed, Charles Cobbe, then Biſhop of Dromore, now Lord Archbiſhop of Dublin, John Hoadley, then Biſhop of Ferns, ſince Deceaſed, Charles Savage Junior, and

Doctor Robert Wallstead, and Richard Morgan, both since Deceased, to be Executors of his said Will, as in and by the said last Will and Testament, Relation being thereunto had, may more fully Appear.

And whereas the said last Will and Testament of the said Hugh late Lord Archbishop of Armagh, Deceased, hath been since duly proved in the Prerogative Courts of Canterbury, and of this Kingdom, respectively, and the Administration thereof Committed, on their Application for that purpose, under the Seal of the said Prerogative Court of this Kingdom, to the above Named Charles now Lord Archbishop of Dublin, and to the said John Hoadly, late Lord Archbishop of Armagh, and to the said Richard Morgan Esquire, Three of the Executors named in the said Will (saving the Right of the said other Executors) and also, under the Seal of the said Prerogative Court of Canterbury, to the said Charles Savage, Junior, one of the Executors named in the said Will, with the like saving of the Right of the said other Executors.

And whereas the Interest of the personal Estate of the said Testator, since his Decease, over and above the Annual payments, in and by said Will appointed to be made, which has accordingly to the said Will been paid by the said Trustees, for the said Deceased's Effects, in this Kingdom,

dom, to the said Testator's Successors the late Most Reverend Father in God, John Lord Archbishop of Armagh, and the Most Reverend Father in God, George now Lord Archbishop of Armagh, to be Disposed of by the said Trustees, of the First-Fruits, towards Buying Glebes, or Augmenting poor Livings in this Kingdom; and the Residue of the said Personal Estate, which is, pursuant to the said Will, to be paid to the said Lord Archbishop of Armagh, and his Successors, to be by them Employed to the same Uses, as before mentioned, do, and will, upon the Settlement of the Accounts now Depending before the Lord High Chancellor of this Kingdom, as it is Apprehended, amount to the Sum of Thirty thousand Pounds, or Upwards.

And whereas for want of Convenient Opportunities of laying out the said Money in Purchases of Tythes or Land to be Applyed to the Augmenting such poor Livings as aforesaid, the said Fund, arising as well from the Interest, as the Residue of the said Effects, still Remains, and is likely, for a very long Time to remain, Undisposed of.

And whereas the Charitable Intentions of the said Testator, might be in a great Measure Anulled, if the said Fund now Remaining in the Hands of the said Lord Archbishop of Armagh, and the Residue of

the said Testator's Personal Estate, after Satisfying and paying all the Legacies, and other Bequests, in and by his said Will Bequeathed and Appointed, could be Disposed of, and laid out at Interest upon Government Securities, either in this Kingdom, or in Great Britain; or otherwise, upon good and Sufficient Private Securities; So as that by such Interest an Annual Revenue might be Raised, to be Applyed, by the said Trustees of the First-Fruits, towards the Augmentation of poor Livings, by the Payment of Annual Salaries to the Incumbents of such poor Livings, out of such Annual Revenue or Interest, until such Purchases of Tythes or Land can be conveniently had, and made, as aforesaid;

Be it Enacted by the Authority aforesaid, That all and every the Sum, and Sums of Money which have from Time to Time been Paid by the said Trustees, in the said Will Named, or any of them, (out of the Interest of the Money Raised by the Disposal of the said Testator's Effects in this Kingdom, or the Surplus thereof, after making the said Annual Payments,) to the said George Lord Archbishop of Armagh, or his Predecessor, and which now remain Undisposed of, in the Hands of the said now Lord Archbishop of Armagh; and also, all the Residue of the Personal Estate and Effects of the said Testator, which has been, or shall hereafter be Paid to the said Lord

Lord Archbishop of Armagh, or his Successors, by the said Executors or Trustees in the said Will Named, or any of them, or by any other Person or Persons who may hereafter Obtain Letters of Administration of the Goods of the said Testator, Unadministered by the said Executors; shall be, and may be Vested in the said Trustees, and Commissioners of the First-Fruits, for the Augmentation of poor Livings, according to the good Design, and Intent of the said Will; And that it may be Lawful to and for the said Trustees, or such Quorum of them as aforesaid, and that they may be Authorized and Impowered to place out at Interest, all and every such Sum and Sums of Money as aforesaid, either in one Intire Sum, or in Parcels, upon such Securities, and with such Power of Changing, and Transferring such Securities, and of Calling in, and Recovering the Whole, or any part of the same, as is hereinbefore mentioned, with Respect to the Produce of the said Revenue of First-Fruits, now remaining in the Hands of the said Trustees; which Interest may be Disposed of by the said Trustees, or such Quorum of them as aforesaid, in Augmenting any Benefices or Livings, or any Impropriate or Appropriate Curacies, or the Maintenance of any Parson, Vicar, Curate or Minister, Officiating in any Church or Chappel, where Divine Service is, or shall be, performed, according to the Liturgy and

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Rites of the Church of Ireland, as now by Law Established, where such Benefices, Livings, or Cures, or the Maintenances of such Parsons, Vicars, Curates, or Ministers, as aforesaid, shall, in Manner hereinafter mentioned, appear to the said Trustees to be under the yearly Value of Sixty Pounds, by the Payment of Annual Salaries, out of the Interest of the said Sum or Sums of Money, according to the Regulations and Directions herein after mentioned and appointed:

And whereas it is necessary that the said Trustees and Commissioners of the First-Fruits, in order to the more Regular making Proper Augmentations of Poor Livings, should be informed, as exactly as may be, of the clear Improved Yearly Value of the Maintenance of all such Parsons, Vicars, Curates, and Ministers, officiating in any Church or Chappel within this Kingdom, where the Liturgy and Rites of the Church of Ireland, as now by Law Established, are or shall be Used and Observed, whose Maintenance shall hereafter be thought fit to be Augmented:

Be it Enacted by the Authority aforesaid, That the respective Archbishops and Bishops of every Diocese, are hereby Impowered and Required, from Time to Time, as they shall see Occasion, as well by the Oath of Two or more Credible Witnesses, which

which Oath, They, or others Commissioned by Them, under Their Hands and Archiepiscopal, or Episcopal Seals, are hereby Empowered to administer, as by all other Lawful Ways and Means, to inform themselves of the clear Improved Yearly Value of every Benefice, with Cure of Souls, Living, or Rectory Appropriate or Impropriate, and of the true and clear Improved Yearly Value of the Maintenance of every Parson, Vicar, Curate, and Minister, Officiating in every such Church or Churches, Chappel or Chappels, as aforesaid, within their respective Dioceses, and how such Yearly Values arise, with the other Circumstances thereof, where the Value of such Benefice, or the Maintenance of such Minister, is commonly reputed to be under Sixty Pounds by the Year; and the same, or such of them, whereof they shall have fully Informed themselves, from Time to Time, to Certify, under their respective Hands and Archiepiscopal or Episcopal Seals, to the said Trustees and Commissioners of the First-Fruits, for their better Information in the Premisses; and that such Certificates, when so returned to the said Trustees and Commissioners, shall be Entered in a Book, to be by them, or some Person to be Appointed by them, provided and kept for that Purpose; And that the said Entries, being so made and Attested, and Subscribed by the said Trustees and Commissioners, or such Quorum of them, as aforesaid, shall be deemed and taken as Evidence,

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of the True Improved Yearly Value of such Benefice, Living, or Curacy, and of the Maintenance of every such Minister, as aforesaid; unless by any Change of Circumstances, the Value of such Benefice, Living, or Curacy, or the Maintenance of such Parson, Vicar, Curate, or Minister, shall be Encreased to the Value of Sixty Pounds by the Year or upwards, before the same shall have been Augmented, by the said Trustees, and the same shall appear to have been so Encreased in Value, by a New Certificate of the Archbishops, or Bishops of the Diocese, to be Returned, Entered, and Attested, in manner before mentioned.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful for the said Trustees, or such Quorum of them, as aforesaid, and they are hereby Authorized and Impowered, from and after the Time such Certificate, as aforesaid, shall be so Returned to them, and Entered, Subscribed, and Attested, as before is mentioned, to Augment any such Benefice, or Living, or such Impropriate or Appropriate Curacy, or the Maintenance of any such Parson, Vicar, Curate, or Minister, which shall, so as aforesaid, Appear to them to be under the Yearly Value of Sixty Pounds by the Year, by Granting to the Incumbent of such Benefice, or Living, or to such Parson, Vicar, Curate, or Minister, such an Annual Salary, to be Paid out of the Interest of the said

Monies,

Monies, so Bequeathed, and to be Placed out at Interest, as aforesaid, as that the Value, so Certifyed, together with such Augmentation, so to be Granted, shall not in the whole exceed the Value of Sixty Pounds by the Year; and that such Annual Salaries, as the said Trustees shall so Grant, pursuant to this Act, may be Granted to the Incumbents of such Benefices, or Livings, and such Parsons, Vicars, Curates, or Ministers, and their Successors, until such Time as convenient Purchases can be had and made of Glebes, or Tythes, or both, to be Conveyed to them, pursuant to the said Will of the said Testator, or until the Value of such Benefices, or Maintenance, shall be Increased to the said Value of Sixty Pounds by the Year, by the said Trustees, or otherwise. CHAP. XVIII.

And whereas Two or more Benefices, Vicarages, or Curacies may be contiguous, and of such small Extent, as that One Church may be sufficient for the same, and the Cure thereof may be conveniently attended by the same Parson, Vicar, or Curate, and it may happen that such Benefices, Vicarages, or Curacies are, or shall be Episcopally United; and yet, the whole Value of such United Benefices, Vicarages, or Curacies, may not amount to the clear Yearly Value of Sixty Pounds;

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Be it Declared and Enacted by the Authority aforesaid, That all and every the Clauses and Provisions in this Act, relative to Single Benefices, Vicarages, or Curacies, shall Extend, and be Construed to Extend, to all such United Benefices, Vicarages, and Curacies, where the same do not, in the Whole, amount to the clear Yearly Value of Sixty Pounds.

Provided nevertheless, And be it Enacted by the Authority aforesaid, That in Case, at any Time or Times hereafter, by the Lowering of the Interest of Money, or by the Failure of any of the Securities on which any Sum or Sums of the said Money shall be so laid out at Interest, as is before-mentioned, or by any other unforeseen or unavoidable Accident or Expence which may attend the Execution of the said Powers and Trusts, it shall happen that the Annual Interest of the said Money, or the Fund allotted for the Payment of the said Salaries, shall fall short, so as not to be sufficient to answer the Payment of the whole Sum, which shall have been before Granted, in Annual Salaries, as aforesaid, it may, in such Case, be lawful to and for the said Trustees and Commissioners of the First-Fruits, or such Quorum of them, as aforesaid, to Reduce or Lessen all and every of the said Salaries, which shall have been before so Granted, by making a Ratable and Proportionable Deduction from each and every

every of such Salaries, so as that every such Parson, Vicar, Curate, or Minister, whose Benefice or Maintenance shall have been so Augmented, as aforesaid, shall Receive only such a Proportionable Part of the Whole Salary, which had been so before Granted, as that the Annual Interest of the said Money, or the said Fund, allotted for the Payment of such Salaries, shall, after such Diminution, be sufficient to Answer, and no more, until the said Fund shall again be Enlarged, or Restored to its former State, so as to be sufficient to Pay and Answer the Whole of the said Salaries, so before Granted, as aforesaid.

Provided also, And be it further Enacted by the Authority aforesaid, That no Augmentation of the Benefice or Maintenance of any such Parson, Vicar, Curate, or Minister, as aforesaid, shall be made by the Grant of any such Annual Salary, as aforesaid, or by Virtue of the Powers and Authorities Vested in the said Trustees and Commissioners of the First-Fruits, or such Quorum of Them, as aforesaid, by the said Letters Patent, or the said former Acts of Parliament, or this present Act, unless there shall be at the Time of Granting such Augmentation, or within Three Years after such Grant shall be made within such Benefice, Living, or Curacy, a Church or Chappel actually Built and in Good and Sufficient Repair, where Divine Service,

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according to the Liturgy and Rites of the Church of Ireland, as now by Law Established, may and shall be performed, every Sunday, at least, by such Parson, Vicar, Curate, or Minister, whose Benefice or Maintenance shall be so Augmented; And in Case such Salary shall be Granted for the Augmentation of any such Benefice, or the Maintenance of any such Parson, Vicar, Curate, or Minister as aforesaid, where no such Church or Chappel shall be, at the Time of making such Grant, actually Built, and in such Good and Sufficient Repair, but the same is to be Given and Granted to Encourage the Building or Repairing such Church or Chappel, within Three Years as aforesaid, such Salary or Augmentation notwithstanding any such Grant, shall not Commence or take Place, nor shall such Parson, Vicar, Curate, or Minister, be Intitled to, or have any Right whatsoever to Demand or Receive such Salary or Augmentation, but from the Time that such Church or Chappel shall be actually Built, and fitted for the Performance of Divine Service; and if the Incumbent of any such Benefice, Living, or Curacy, or any Parson, Vicar, Curate, or Minister, whose Maintenance shall be so Augmented by the Grant of such Annual Salary, or otherwise, by the said Trustees, shall not Reside upon such Augmented Benefice, Living or Curacy, or shall be Wilfully Absent from the Cure of such

Church

Church or Chappel, for the Service of which such Augmentation shall be so Granted, for above the Space of Sixty one Days, in any one Year, without Licence first Obtained from the Bishop of the Diocese wherein such Living or Curacy, or such Church or Chappel shall be; or, if the See be Vacant, from the Guardian or Guardians of the Spiritualties, under his or their Episcopal Seal or Seals of Office, respectively, for reasonable and good Causes in such Licence to be Expressed, and a Certificate of the having Granted such Licence, Returned under the Hand or Hands, and Archiepiscopal or Episcopal Seal or Seals of Office, of the Archbishop, Bishop, or Guardian or Guardians of the Spiritualities, so Granting the same, respectively, to the said Trustees; and unless such Parson, Vicar, Curate, or Minister, so to be Absent, by Virtue of such Licence, shall find and provide a sufficient Parson, to be approved of by the Archbishop, Bishop, or Ordinary of such Diocese, to supply the Cure, and perform Divine Service in such Church, or Chappel, as aforesaid, during such Absence; or if there shall be a Discontinuance of the performance of Divine Service, except for the necessary Repairs or Rebuilding of the said Churches or Chappels, or for other Causes to be approved of by the Archbishop, Bishop, or other Ordinary of the Diocese, and Certified to the said Trustees, as aforesaid; Then, and in any of the said Cases, such Salary

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or Augmentation, so made, of any such Benefice, Living, or Curacy, and all Right and Title of any such Parson, Vicar, Curate or Minister, to Demand, or Receive such Salary, or Augmentation, shall utterly Cease and be Determined, during his Incumbency only, notwithstanding any such Grant before made thereof; and that such Parson, Vicar, Curate or Minister, shall forever after be Disabled and rendered Incapable of Having or Enjoying such Salary or Augmentation: But that the same shall nevertheless be Restored and payable to the next Successor, as if the same had not so Ceased, or been Suspended; and that the said Salary, or Augmentation so Stopped, during the Incumbency of such Disabled Person, may be Vested in the said Trustees, to be Applyed by them to the Increase of the said Fund, or such other Uses, and Purposes as the same might have been Applied to, if the same had not been so Granted, as aforesaid.

And be it further Enacted by the Authority aforesaid, That in Case any Incumbent of any such Benefice, Living, or Curacy, or any Parson, Vicar, Curate or Minister, whose Maintenance shall be Augmented, by the Grant of such Annual Salary, or otherwise, by the said Trustees, shall accept of and take any other Benefice, Living, or Curacy, and be Instituted and Inducted into the Possession of the same

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same, that then the said Benefice, Living or Curacy, which shall have been so Augmented, shall from thenceforth be, and be Deemed and Adjudged absolutely Void to all Intents and Purposes whatsoever; and that it shall be Lawful for the Archbishop, Bishop, or other Patron, to Collate or Present thereto in like Manner and Form, as if the former Incumbent had Dyed or Resigned; any Licence, Union, or other Dispensation to the Contrary, in any wise notwithstanding; and that every Licence, Union, or Dispensation, of what Name or Names, Quality or Qualities soever, Obtained, contrary to the true Meaning and Intention of this Act, shall be absolutely Void and of none Effect; and in Case any Person already possessed of any Benefice, Living or Curacy, shall be Collated or Instituted to any of the said Benefices, Livings, or Curacies, which shall be so Augmented by the said Trustees, as aforesaid, every such Collation, Presentation, or Nomination, shall be utterly Void, to all Intents and Purposes, whatsoever.

Provided allways, that no Lapse shall Incur upon any Avoidance of any Benefice, Living or Curacy, which shall happen in Consequence of this Act, until six Months after Notice shall be given, in all Cases in which Notice is now by Law Required, to the Person or Persons having a Right to Present or Nominate to the same, by the

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Archbishop or Bishops of the Diocese, or other Ordinary, for the Time being, in Writing under his or their Hand and Archiepiscopal or Episcopal Seal, or Seals of Office, respectively.

And whereas the Provision for Augmenting such poor Livings as shall be thought proper by the said Trustees and Commissioners of First-Fruits, to be so Augmented, is intended to Extend, not only to Parsons, Vicars, and Curates, who come in by Presentation, or Collation, Institution, and Induction, or Licence, but likewise to such Ministers who come in by Donation, or are only Stipendiary Preachers, or Curates, in and of Impropriate or Appropriate Parishes, officiating in any Church or Chappel where the Liturgy and Rites of the Church of Ireland, as by Law Established, shall be Used and Observed, some of which may happen not to be Corporations, nor have a Legal Succession, and therefore are incapable of taking a Grant of such perpetual Augmentation, by a Salary, or an Endowment of such Tythes or Land, as is by this Act intended; and in some places it might be in the power of the Impropriator, Donor, Parson, or Vicar, to withdraw the Allowance now or heretofore paid to the Minister, or Curate, serving the Cure; or in Case of a Chapelry, the Incumbent of the Mother-Church might refuse to Employ a Curate, or permit a Minister, duly Nominated,

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minated, or Licensed to Officiate in such Augmented Chappel, and might Officiate therein himself, and take the Benefit of the Augmentation, though his Living be above the Value of those which are hereby intended to be Augmented, and the Maintenance of the Curate or Minister would thus be Sunk, instead of being Augmented.

Therefore be it Enacted by the Authority aforesaid, That all such Churches, Curacies, or Chappels, which shall at any Time hereafter be Augmented by the said Trustees and Commissioners of the First-Fruits, payable out of Ecclesiastical Benefices, shall be, and are hereby Declared and Established to be, from the Time of such Augmentations, perpetual Cures and Benefices, and the Ministers duly Nominated and Licenced thereunto, and their Successors, respectively, shall be, and be Esteemed in Law, Bodies Politick and Corporate, and shall have perpetual Succession, by such Name and Names as in the Grant of such Augmentation shall be mentioned, and shall have a Legal Capacity, and are hereby Enabled to take in Perpetuity, to them and their Successors, all such Lands and Tenements, Tythes, or Hereditaments, as shall be Granted to, or Purchased for them, by the said Trustees and Commissioners for the First-Fruits, or such Annual Salaries as shall be so Granted, pursuant to this Act; any Law or Statute to the Contrary, notwithstanding. And

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that the Impropriators or Patrons of any Augmented Churches, or Donatives, for the Time being, and their Heirs, and the Rectors and Vicars of the Mother-Churches, whereto any such Augmented Curacy or Chappel doth appertain, and their Successors shall be, and are hereby utterly Excluded from having or receiving, directly or indirectly, any Profit or Benefit by such Augmentation; and shall, from Time to Time, and at all Times, from and after such Augmentation, pay and Allow to the Ministers Officiating in any Church or Chappel, so Augmented, such Annual and other Pensions, Salaries, and Allowances, which by antient Custom, or otherwise, of Right, and not of Bounty, ought to be by them respectively Paid and Allowed, and which they might by due Course of Law, before the Making of this Act, have been Compelled to Pay or Allow to the respective Ministers Officiating there, and such other Yearly Sum or Allowance as shall be agreed upon, if any shall be, between the said Trustees and such Patron or Impropriator, upon making the Augmentation; and the same are and shall be hereby perfectly Vested in the Ministers Officiating in such Augmented Church or Chappel, and their respective Successors.

Provided, That no such Rector or Vicar of such Mother-Church, or any other Ecclesiastical Person or Persons, having Cure of Souls, within the Parish or Place where such

such Augmented Church or Chappel shall be situate, or his or their Successors, shall hereby be Divested or Discharged from the same: But the Cure of Souls, with all other Parochial Rights and Duties, such Augmentation and Allowances to the Augmented Church or Chappel, as aforesaid, only excepted, shall hereafter be and remain in the same plight and Condition, as if such Augmentation had not been made.

And for Continuing the Succession in such Augmented Cures, hereby made perpetual Cures and Benefices, and that the same may be duly and constantly Served;

Be it Enacted by the Authority aforesaid, That in Case such Augmented Cures be suffered to remain void by the Space of Six Months, without any Nomination within that Time, of a fit Person to serve the same, by the Person or Persons having the Right of Nomination thereunto to the Bishop, or other Ordinary within that Time, to be Licenced for that Purpose, the same shall lapse to the Bishop or other Ordinary, and from him to the Metropolitan, and from the Metropolitan to the Crown, according to the Course of Law used in the Case of Presentative Livings and Benefices; and the Right of Nomination to such Augmented Cure may be Granted or Recovered, and the Incumbency thereof may and shall

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Cease and be Determined in the like Manner, and by the like Methods as the Presentation to, or any Incumbency, in any Vicarage Presentative, may now be respectively Granted, Recovered, or Determined.

Provided allways, That in Case the Person or Persons, Intitled to Nominate to such Augmented Cure, should suffer Lapse to incurr, but shall Nominate, before any Advantage taken thereof by the Ordinary, Metropolitan, or Crown, respectively, such Nomination shall be as Effectual, as if made within Six Months, although so much Time be before Elapsed, as that the Title of Lapse be Vested in the Crown.

And be it further Enacted by the Authority aforesaid, That all such Donatives, which shall be Augmented by the said Trustees and Commissioners of the First-Fruits, by Virtue of the Powers given by this Act, or in Pursuance of the Trusts Vested in them by the said Letters Patent, and the said before in part recited Acts, shall be subject to the Visitation and Jurisdiction of the Bishop of the Diocese, wherein such Donative is, or shall be, to all Intents and Purposes of Law whatsoever.

Provided allways, That no Donative shall be Augmented, without the Consent of the Patron or Patrons, in Writing, under his and

and their Hands and Seals, first had and Obtained. CHAP. XVIII.

Provided also, That where the said Trustees shall, in Pursuance of the Powers given to them by this Act, or the said Letters Patent, and the said before mentioned Acts, think it Convenient and fitting, that any Donative, Curacy, or Chappelry should receive an Augmentation out of the said Funds, Vested in them, as aforesaid, that it may be Lawful to and for the said Trustees, or such Quorum of them as aforesaid, and they are hereby Impowered, before they make the said Augmentation, to Treat and Agree with the Patron of any Donative Impropriator of any Rectory, Impropriated without Indowment of any Vicarage, or Parson, or Vicar of any Mother-Church, as the Case shall happen to be, for a perpetual, Yearly, or other Payment or Allowance to the Minister or Curate of such Augmented Donative, Curacy or Chappelry, and his Successors to be made in all succeeding Times, by such Patron, Impropriator, Parson, or Vicar, and his and their Heirs and Successors, and for Charging and Subjecting the Impropriate Rectory, or Mother-Church, or Vicarage therewith, and thereunto, in such manner, and with such Remedies, for Recovery thereof as shall be thought fit, and such Agreements, made with the Chief Governor or Governors of this Kingdom for the time being,

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being, by and with the Advice and Consent of six or more of the Privy Council of this Kingdom, Testified under their Hands, in Cases where the King's Most Excellent Majesty, his Heirs and Successors are, or shall be Interested, or with any Bodies Politick or Corporate, or any other Person or Persons having any Estate or Interest in Possession, Reversion or Remainder, in any such Impropriate Rectory, in his or their own Right, or in Right of their Wives, or in Right of his or their Churches, or with the Guardian or Guardians, of any Person or Persons, having such Estate or Interest, with any Parson, or Vicar of any Mother-Church, shall be respectively Good and Effectual, to all Intents and Purposes in Law, with respect to such Charges against his Majesty, his Heirs and Successors, or against all or any such Bodies Politick and Corporate, or against the Person and Persons so Agreeing, their Wives, Heirs, and Successors, respectively, and every of them, and against all and every their Issue, and against every other Person and Persons, claiming in Remainder or Reversion, after any Estate Tail, in the Premisses, according to the Form of such Agreement, as fully and in like Manner as if such Agreement had been made by his Majesty, his Heirs and Successors, under his and Their Great Seal, and as if such Bodies Politick and Corporate, had been free from any Restraint, and as if such other Persons

persons so Agreeing had been sole Seized in his and their own Right of such Donative Impropriate Rectory or Mother-Church, as aforesaid, at the Time of making such Agreement; and that the Agreements of Guardians, for and on Behalf of Infants or Ideots under their Guardianship, may be as Good and Effectual to all Intents and Purposes as if the said Infants or Ideots, had been of full Age, and of sound Mind, and had themselves Entered into such Agreement.

Provided allways, That in Case of any such Agreement, as aforesaid, with any Patron or Vicar, the same shall be with the Approbation and Consent of his Patron and Ordinary; and in Case of any such Agreement made with any person in Right of his Wife, that the Wife may be a Party to the Agreement, and Seal and Execute the same.

And be it further Enacted by the Authority aforesaid, That the said Trustees and Commissioners of First-Fruits, payable out of the Ecclesiastical Benefices, or such Quorum of them as aforesaid, shall have Power and Authority, and are hereby Impowered and Authorized, from Time to Time, to Administer an Oath to such Patron and Persons as shall at any Time give them Information, or be Examined of, or Concerning any Matter or Thing

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relating to the Execution of this, or the said former Acts of Parliament, or any way Concerning the Powers or Trusts in them Reposed.

And be it further Enacted by the Authority aforesaid, That all Augmentations, Certificates, Agreements, and Orders, Made or Returned to, or by the said Trustees, in Pursuance of this and the said former Acts of Parliament, shall be carefully Examined, and Entered into a Book to be Provided and Kept by the said Trustees, or some Person to be by them Appointed for that Purpose; and that such Entries being approved of by the said Trustees, or such Quorum of them as aforesaid, and Attested by them, shall be taken to be as Records, and the true Copies thereof, or of the said Entries being Proved by one or more Credible Witness or Witnesses, shall be Deemed, Taken and Adjudged to be good and sufficient Evidence in Law, touching the Matters Contained therein, or Relating thereto.

And whereas a proper Person or Persons may be found Necessary to be Employed by the said Trustees for keeping such Books, and making such Entries as aforesaid, or for other Purposes towards the Due and Regular Execution of the Trusts by this and the former Acts of Parliament reposed in them;

Therefore

Therefore be it Enacted by the Authority aforesaid, That it may be Lawful for the said Trustees, and Commissioners of the First-Fruits, or such Quorum of them as aforesaid, to Appoint a Clerk or Register, or such other Officer or Officers, as they in their Discretion shall think Necessary for the better and more regular Execution of the said Trusts; and out of the said Funds Vested in them, to pay such Salaries, Fees and Rewards; and also, to Increase and Diminish the same, as the said Trustees or such Quorum of them as aforesaid, shall from Time to Time think fit; which Office or Offices shall be held and Enjoyed, and such Salaries, Fees, and Rewards shall be paid for the same, during the Pleasure of the said Trustees, or such Quorum of them, as aforesaid, and no longer; and that it may also be Lawful to and for the said Trustees, out of the said Funds so Vested in them, to Expend and Defray all such Incidental Charges, as shall by them or such Quorum of them, as aforesaid, be judged Necessary and Expedient in Relation to the Premisses, or any Matters or Things concerning the Powers or Trusts herein before mentioned.

And whereas a Power of making Rules and Constitutions for the better Rule and Government of the said Corporation, of the Trustees and Commissioners of the First-

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Fruits, in the Managing and Disposal of the said Funds, may Tend to the Advancement of the said Charity;

Be it Enacted by the Authority aforesaid, That it may be Lawful for the said Trustees, or such Quorum of them as aforesaid, and they are hereby Authorized and Impowered to Agree upon, Draw up, Prepare and Propose, in Writing to the Lord Lieutenant or other Chief Governor or Governors, of this Kingdom, for the Time being, such Proper and Necessary Rules, Directions, Orders, and Constitutions, as the said Trustees, or such Quorum of them as aforesaid, shall judge most Convenient to be Observed, for and towards the better Execution of the said Trusts and Powers, or any Matters or Things Relative to, or Concerning the same; and that all such Rules, Directions, Orders and Constitutions, as shall from Time to Time be so Agreed upon, Prepared, and Proposed to the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom for the Time being, and which shall be Approved and Confirmed by Writing under his or their Hand and Seal, shall be Good, Valid, and Effectual, and shall be duly Observed and Performed, until the same shall be Altered or Annulled by any other Subsequent Rules, Directions, Orders, or Constitutions, to be Agreed upon, Prepared, and

and Propoſed, and Approved, and Confirmed in manner before mentioned. CHAP. XVIII.

Saving allways to the King's Moſt Excellent Majeſty, His Heirs and Succeſſors, and to all and every other Perſon and Perſons, Bodies Politick, and Corporate, and to their ſeveral Heirs, Succeſſors, Executors, and Aſſigns, other than except the Executors, Adminiſtrators, and Truſtees of the ſaid Hugh Late Lord Archbiſhop of Armagh as ſuch; all ſuch Right, Title, Eſtate, Intereſt, Claim or Demand, in Law, or in Equity, as he, ſhe, or they, or any of them have, hath, or ſhall, or may have of, in, to, or out of the Perſonal Eſtate or Effects of the ſaid Teſtator, or any part therof, as if this Act had not been made.

And be it further Enacted by the Authority aforeſaid, That this Act ſhall be Deemed a Publick Act in all Courts of Law and Equity, and to all Intents and Purpoſes whatſoever.

and deposed, and Commissioners to be named before mentioned.

Saving always to the King's Most Excellent Majesty, his Heirs and Successors, and to all and every other Person and Persons, Bodies Politick, and Corporate, and to their several Heirs, Successors, Executors, and Assigns, other than except the Commissioners, Commissioners, and Trustees of the said high Court of Justiciary of Scotland; all such Right, Title, Claim, Interest, Claim or Demand, in Law, or in Equity, as he, she, or they, or any of them have, had, or shall, or may have of, in, to, or out of the personal Estate or Effects of the said Contractor, or any part thereof, as if this Act had not been made.

And be it further Enacted by the Authority aforesaid, That this Act shall be deemed a Public Act, in all Courts of Record and Equity, and to all Intents and Purposes whatsoever.

CHAP. XIX.

AN

ACT

FOR

Making and Amending the Road leading from the Town of *Mallow*, in the County of *Cork*, through the Lands of *Drumdown*, *Killmaclinin* and *Liſsgriffin*, to *Newcaſtle* in the County of *Limerick*, and from thence to the Fair Place of *Glin*, in the ſaid County of *Limerick*, and from thence to *Killmeany*, in the County of *Kerry*.

DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*. M.DCC.LVI.

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AN

ACT

FOR

making and Amending the Road leading from the Town of Mallow, in the County of Cork, through the Lands of Drumaderry, Killmeedinin and Lisgrigg, to Newcastle in the County of Limerick, and from thence to the Fair Place of Glin, in the said County of Limerick, and from thence to Killmurry, in the County of Kerry.

DUBLIN:

Printed by the Executor of George Faulkner Grierson, Printer to the King's Most Excellent Majesty, at the King's-Arms and Two Bibles in Essex-Street. M.DCC.LVI.

AN ACT FOR

Making and Amending the Road leading from the Town of *Mallow*, in the County of *Cork*, through the Lands of *Drumdown*, *Killmaclinin* and *Lisgriffin*, to *Newcastle*, in the County of *Limerick*, and from thence to the Fair Place of *Glin*, in the said County of *Limerick*, and from thence to *Killmeany*, in the County of *Kerry*.

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WHEREAS the High-way, or Road leading from the Town of Mallow, in the County of Cork, through the Lands of Drumdown, Killmaclinin, and Lisgriffin, to Newcastle, in the County of Limerick, and from thence to the Fair place of Glin, in the said County of Limerick, and from thence to Killmeany, in the County of Kerry, by Reason of the several hollow Ways,

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and the many and heavy Carriages frequently passing through the same, are become so ruinous and bad, that in the Winter Season many Parts thereof are Impassable for Waggons, Carts, Cars, and Carriages, and very Dangerous for Travellers; and cannot, by the ordinary Course Appointed by the Laws and Statutes of this Realm, be effectually Amended and kept in Good and Sufficient Repair;

Wherefore, and to the Intent that the said High-Ways and Roads may with convenient Speed be effectually Amended, and hereafter kept in good and sufficient Repair, so that all persons may Travel through the same with Safety;

Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That for the better Ordering, Amending, and Keeping in Repair, the said High-way or Road, it shall be in the Power of the Right Honourable the Earl of Shelburne, the Right Honourable Lord Viscount Doneraile, Right Honourable Lord Southwell, Right Honourable Lord Carbery, Right Honourable Henry Boyle, Esquire, Speaker of the Honourable House of Commons, the Honourable Thomas Southwell, Esquire, the Honourable Henry Southwell, Esquire, Sir William

William Courtney, Baronet, Sir John Freke, Baronet, Sir Robert Deane, Baronet, Sir John Conway Colthurſt, Baronet, Anthony Jephſon, Robert Fitzgerald, John Lyſaght, William Freeman, Henry Hamilton, Charles Smyth, Richard Maunſell, Edmond Sexton Pery, Edward Taylor, Richard Aldworth, Philip Oliver, John Wallis, James Smyth, John Standiſh, William Gun, Windham Quin, Richard Fitzgerald of Glin, James Cotter, Henry Cole Bowen, Francis Drew, Robert Davis, John Fitzmaurice, Richard Naſh, Richard Maunſell the Younger, Eſquires, Reverend John Hamilton, Reverend William Roche, Reverend John Oliver, Reverend Norris Jephſon, George Green, James Croſbie, Richard Ponſonby, John Wren, John Hewſon, William Meredith, Reverend William Bowen, William Croſbie, John Fitzgerald, John Blenerhaſſet, Junior, Edward Herbert, Junior, Arthur Blenerhaſſet, Richard Newman, Robert Grove, Eſquires, the Reverend Arthur Herbert, Henry Shewell, Gentleman, Stephen Creagh, Pierce Croſby, John Lyſaght, Junior, John Whyte, Denham Jephſon, Thomas Grady, William Greene, William Jephſon, William Maſſey, Hugh Maſſey, George Roſe, Launcelot Sandys, Robert Leſlie, Eſquires, Reverend Edward Day, Richard Meredyth, Junior, Eſquire, Robert Hewſon, Gentleman, Hugh Maſſey, Junior, Eſquire, John Maſſey, Eſquire, Robert Jephſon, Eſquire, John Upton, John Cobley, Henry Wrixon, Eſquires, Reverend Thomas Meulth, James Godſell, James Knight, William Lyſaght, Arthur Northcott, Henry Wrixon, Arthur Baſtable, and Mathew Otwell, Gentlemen,

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who are hereby Nominated and Appointed Trustees of the said Road, and the Survivors of them, or any five or more of them, or such Person or Persons as they, or any five or more of them, shall Authorize and Appoint, to Erect or cause to be Erected, one or more Gate or Gates, Turnpike or Turnpikes, in, upon, or Cross any Part or Parts of the said High-way, and Road; and also, a Toll-House or Toll-Houses; so as no Gate or Turnpike, be Erected within less than a Quarter of a Mile of the Town of Mallow; nor so as to Interfere with the present Road leading from the Town of Listowell, in the County of Kerry, to Abbyfial, in the County of Limerick; nor with the Road leading from thence to the Town of Newcastle, aforesaid; and there to Receive the Tolls and Duties following, before any Horse, Mare or Gelding, Cattle, Coach, Berlin, Chariot, Calash, Chaise or Chair, Waggon, Wain, Car, Cart or other Carriage, shall be Permitted to Pass through the same, Videlicet, for every Coach, Berlin, Chariot, Calash, Chaise, or Chair, Drawn by six Horses, Geldings or Mares, the Sum of One Shilling and six Pence; and for every Coach, Berlin, Chariot, Calash, Chaise, or Chair, Drawn by any lesser Number of Horses, Geldings or Mares, than six, and more than two, One Shilling; for every Coach, Berlin, Chariot, Calash, Chaise, or Chair, Drawn with two Horses, Geldings, or Mares, six Pence; for every

Waggon

Waggon, Wain, or Car, with four Wheels, the Sum of Ten Shillings; for every Waggon, Wain or Car, with two Wheels, Drawn by more than two Horses, Mares, Geldings, or Oxen, the Sum of five Shillings; for every Cart, Waggon, or Car, Drawn with two Horses, Geldings or Mares, the Sum of four Shillings; for every Carriage commonly called a Chair, or Chaise, with one Horse, Mare or Gelding, the Sum of Three Pence; for every Car, or other Carriage, Drawn but by one Horse, Mare or Gelding, the Sum of One Penny; excepting Cars and Horses Loaden with Turff; for every other Horse, Mare, Gelding, Mule or Ass, Loaden or Unloaden, and not Drawing, One Penny; for every Drove of Oxen, Colts, or Neat Cattle, the Sum of Ten Pence per Score, and so in Proportion for any Greater or Lesser Number; for every Drove of Calves, Hogs, Sheep or Lambs, the Sum of Five Pence per Score, and so in Proportion, for any Greater or Lesser Number; which said respective Sum or Sums of Money, shall be Demanded and taken, in the Name of, or as a Toll or Duty; and the Money so to be Raised, as aforesaid, is and shall hereby be Vested in the said Trustees; and the same, and every part thereof, shall be Paid, Applied, and Disposed of, and Assigned to and for the several Uses, Intents and Purposes, and in such Manner as is hereinafter Mentioned and Directed; and the

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said Trustees, or any five or more of them, are hereby Impowered by themselves, or any Person or Persons by them, or any Five or more of them, under their Hands and Seals, thereunto Authorized, to Levy the Toll or Duty, hereby Required to be paid, upon any Person or Persons, who shall, after Demand made thereof, Neglect or Refuse to pay the same, by Distress of any Horse or Horses, or other Cattle or Goods, upon which such Toll or Duty is by this Act Imposed; or upon any of the Goods and Chattels of such Person or Persons who ought to pay the same; and may Detain and Keep the same, till such Toll or Duty, with the reasonable Charges of such Distraining or Keeping, shall be paid. And it shall and may be Lawful to and for the Person or Persons so Distraining after the Space of Five Days from the Time to such Distress Made and Taken, to Sell the Goods Distrained, returning the Overplus (if any be) upon Demand to the Owner thereof, after such Toll, Duty and reasonable Charges for Distraining and Keeping the same shall be paid.

And be it Enacted by the Authority aforesaid, That out of the first Money arising from the Profits of the several Turnpikes to be Erected, the said Trustees, or any Five or more of them, shall first pay and Discharge the Expence of Procuring this

Act

Act of Parliament, and of Erecting such Turnpike or Turnpikes, or Building such Toll-house, or Toll-houses; and from and after such Charges and Expences shall be fully Satisfied, and Paid, that then, and from thenceforth, the Profits Arising, and the Toll to be Collected at any Turnpike or Turnpikes to be Erected or Set up on the said Road leading from the Town of Mallow, in the County of Cork, through the Lands of Drumdown, Killmaclinin, and Lisgriffin, to Newcastle, in the County of Limerick, and from thence to the Fair Place at Glin, in the said County of Limerick, and from thence to Killmeany, in the County of Kerry, shall be Applied for and towards the Repair of the said Road only, and not elsewhere.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons whatsoever, Owning, Renting, or Occupying any Land near unto any Turnpike to be Erected, in Pursuance of this Act, shall, for Gain, Reward, or otherwise, permit any Person or Persons whatsoever to pass through any Gate, Passage, or Way, with any Coach, Berlin, Chariot, Calash, Chaise, or Chair, Waggon, Wain, Cart, Car, or other Carriage, or Riding or Driving any Horse, Mule, Ass, or any Sort of Cattle, to avoid the Payment of the Toll, hereby Appointed to be Paid, and shall be thereof Convicted, upon the Oath of One or more

Witness or Witnesses, before the said Trustees, or any Five or more of Them; or before One or more Justice or Justices of the Peace, for the County wherein such Offence or Offences shall be Committed, who are hereby Impowered and Required to Administer such Oath, such Person or Persons shall Forfeit, and Pay to the Trustees, Authorized to put this Act in Execution, the Sum of Ten Shillings, to be Levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal, or under the Hands and Seals of the said Trustees, or any Five or more of Them, or such Justice or Justices; rendering the Overplus (if any be) the Charges in Taking and Disposing of the said Goods, being first Deducted.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the said Trustees, or any Five or more of Them, to Erect One or more Gate or Gates, Turnpike or Turnpikes, on the Side of the said High-ways, or Road, cross any Lane or Way, leading out of the said Road, and to Build one or more Toll-house, or Toll-houses, and there to Receive and Take such Toll, as is Appointed by this Act to be Taken, so as the same do not Extend to a Double Charge, in Case of Passing the same Day through any of the other Turnpikes, to be Erected by Virtue of this Act, from the Town of Mallow,

low, in the County of Cork, through the Lands of Drumdown, Killmaclinin, and Lisgriffin, to Newcastle, in the County of Limerick, and from thence to the Fair Place at Glin, in the said County of Limerick, and from thence to Killmeany, in the County of Kerry.

And be it further Enacted by the Authority aforesaid, That the said Trustees, or any Five or more of Them, at Their first Meeting, or any succeeding Meeting, by Writing under Their Hands and Seals, shall and may Elect, Nominate, and Appoint, One or more fit Person or Persons, to be Receiver or Receivers, Collector or Collectors of such Money, in the Name of such Toll or Duty, as shall be Due and payable, by Virtue of this Act; and also, One or more fit Person or Persons to be Surveyor or Surveyors, to see the Condition of the said High-way or Road, and to see that the same be Repaired and Amended, and that the Money Arising and Expended, by Virtue of this Act, be duly Applied; and from Time to Time to Remove such Collectors, Receivers, and Surveyors, or any or either of Them, as They shall see Occasion, and Appoint new ones, in Case of Death, or of such Removal; And such Person or Persons as is, or are liable by this Act, to pay the said Toll or Duty, is, and are hereby Required to pay the same, after the Rates aforesaid, to the said Receiver or Receivers, Collector

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or Collectors of the said Toll or Duty, in that Behalf, from Time to Time, Appointed, as aforesaid, for the Receiving such Toll or Duty; and such Surveyor or Surveyors, as aforesaid, shall, upon Oath, before the said Trustees, or any Five or more of Them, or before One or more Justice or Justices of the Peace, residing near the High-Way or Road aforesaid, which Oath, such Trustees, or any Five or more of Them, or such Justice or Justices, is, and are hereby Impowered and Required to Administer on the first Tuesday in every Month, or oftener, if Required, during the Continuance of this Act, give in a True, Exact, and Perfect Account in Writing, under Their respective Hands, of all Money which he and They, and every or any of Them, or any Person Employed by Them, or any of Them, shall to such Time have Received, Paid, and Disbursed, by Virtue of this Act, by Reason of Their respective Offices; for which Oath no Fee or Reward shall be taken. And in Case any Money so Received, shall Remain in Their or any of Their Hands, the same shall be Paid to the said Trustees, or any Five or more of Them, or to such Person or Persons as the Trustees, or any Five or more of Them, shall, by any Writing or Writings, under their Hands and Seals, Authorized and Impowered to Receive the same, which shall be disbursed and laid out in Amending the said High-Way or Road, according to the true Intent and Meaning

of

of this Act, and not otherwise: And the said Trustees, or any Five or more of Them, to whom such Account shall be given, shall and may, out of the Money Arising by said Toll or Duty, make such Allowance to the said Receiver or Receivers, Collector or Collectors, and the Surveyor and Surveyors, for, and in Consideration of His and Their Care and Pains, respectively taken in the Execution of His and Their Office and Offices, and to such other Person and Persons, who have been, or shall be Assisting in and about Procuring the said High-Way and Road to be Amended and Repaired, by Advancing and laying out any Money, or otherwise relating thereunto, as to Them shall seem Good; so as such Allowance or Allowances to such Collector or Collectors, do not Annually exceed Twenty Pounds, and to such Surveyor or Surveyors, any Sum not exceeding Two Shillings a Day, during such Time or Times as He or They shall be respectively Employed in the Repair of the said Road; and so as such Allowance or Allowances to any other Person or Persons, who shall be Employed, by Virtue of this Act, do not exceed the Sum of Fifteen Pounds Yearly, to each Person. And in Case the said Receiver or Receivers, Collector or Collectors of the aforesaid Toll or Duty, or any of Them, shall not make such Account and Payment unto such Person or Persons, according to the Orders and Directions of the said Trustees, or any Five

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or more of them, as aforesaid, That then the said Justices of the Peace, at any special Sessions or Meetings of them to be holden for the County in which the said Receiver or Receivers, Collector or Collectors, have Acted, or been Employed, and made such Default as aforesaid, shall and are hereby Required and Impowered to make Inquiry, and finally Determine of and Concerning such Default, as well by the Confession of the said Parties themselves, as by the Testimony of one or more Credible Witness or Witnesses upon Oath, which Oath they are hereby Impowered and Required to Administer without Fee or Reward; and if any Person or Persons shall be Convicted thereof, by such Justices, the said Justices shall, upon such Conviction, Commit the Party or Parties to the Common Goal of the County where such Offence shall be Committed, there to Remain without Bail or Mainprize, until he or they shall have made a True and Perfect Account and Payment, as aforesaid.

And be it Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the said Surveyor or Surveyors, and such Person or Persons as he or they shall Appoint, to Dig, Make, Gather, Take, and Carry away any Gravel, Furze, Sand, Stone or other Materials, out of any Waste or Common of any Parish, Town, Village, or Hamlet in or near where any Founderous

or

or Ruinous Places of the said High-way, or Road do Lye, and for Want of sufficient Gravel, Furze, Sand, Stones, and other Materials, there to Dig, Gather, Raise, Take and Carry away the same out of any Waste or any Common of any Neighbouring Parish, Town, Village or Hamlet, without Paying any thing for the same; and where there is not sufficient of any such Materials, in any Common or Waste Ground near Adjoining, it shall and may be Lawful for them, by Order of the said Trustees, or any five or more of them, to Dig, Raise and Gather the same in the several Grounds of any Person or Persons, not being a Garden, Orchard, Yard or Meadow, Planted Walks, or Avenue to a House, where any such Materials are or may be found, and from Time to Time to Carry such and so much thereof as the said Surveyor or Surveyors shall adjudge Necessary for the Repairing and Amending the said High-way or Road, Paying such Rates for such Materials to the Owner or Occupier of the Ground from whence the same shall be Diged, Raised, Gathered and Carried away, as the Trustees Appointed, or to be Appointed, to put this Act in Execution, or any Five or more of them, shall Adjudge Reasonable; and in case of any Difference between such Owner or Occupier, and the said Trustees touching the Value of the Materials, and the Damage aforesaid, the Judges of Assize at the next

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General Allizes, and General Goal Delivery, to be Holden in the County where such Materials shall be Digged, Raised or Gathered, and from whence the same shall be Carried away, may and shall Adjuge, Assess, and finally Determine the same.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the Surveyor or Surveyors, and such Person and Persons as he or they shall Appoint from Time to Time, to Remove, and Prevent Annoyances on any part of the said High-way, or Road hereby intended to be Repaired by Filth, Dung, Ashes, Rubbish, Water-Courses, Sinks or Drains, running into the said High-way or Road, and to cleanse any Ditch or Water-Course adjoining the said Road, and to Cut down, Lop or Top any Trees or Bushes, Growing in the said High-way, or in the Hedges or Banks adjacent to the said High-way, and to Take, and Carry away the same, the Owner or Occupier neglecting to Cut down such Trees, or Bushes, or to Remove such other Anoyances for the Space of Ten Days after Notice in Writing given for that Purpose, under the Hands of five of the said Trustees; the Charges whereof shall be Reimbursed the said Surveyor or Surveyors, by such Owners or Occupiers neglecting to Cut down the said Trees or Bushes, or to Remove such other Annoyances as aforesaid;

and

and if after Removal of any such Annoyances, any Person or Persons shall again Offend in like Kind, every such Person or Persons so Offending, and being thereof Convicted upon the Oath of one or more Witness or Witnesses, before one or more Justice or Justices of the Peace for the said County where such Offence shall be Committed, shall for every such Offence, Forfeit and Pay unto the said Trustees Ten Shillings, to be Levied in manner aforesaid. CHAP. XIX.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the said Surveyor or Surveyors, by Order of the said Trustees, or any five or more of them, to make or cause to be made Causeways, and to Cut and make Drains through any Grounds, lying Contiguous to the said Road, and to Erect Arches of Brick, Timber or Stone thereupon; and also, to Widen any of the Narrow parts of the said High-way or Road, by Opening, Clearing and Laying into the said High-way or Road, any Ground of any Person or Persons lying Contiguous to such High-way or Road, not being a House, Garden, Orchard, Planted Walk or Avenue to a House; and also, to cause Ditches or Trenches to be made in such places, and in such Manner, as such Surveyor or Surveyors, by Order of the said Trustees, or any Five or more of them, shall Adjudge necessary for the better

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Amending and Keeping the said High-way or Road in good Repair, making such Reasonable Satisfaction to the Owner or Occupier of such Ground which shall be so Laid in, or unto the said High-ways or Roads through which any such Drain or Drains shall be Cut, or on which any such Arch or Arches shall be made, for the Damages which he or they shall or may thereby Sustain, as shall be Assessed and Adjudged by the next going Judge or Judges of Assize, or by the Justices of the Peace, or the Major part of them, at the next General Assizes or Quarter-Sessions to be holden for the said County in which such Ground shall be laid into the said High-ways or Roads, and through which any such Drain or Drains, Ditch or Ditches shall be Cut or Made, or on which such Arch or Arches shall be Erected or Made, or such Causeways made, in case of any Difference concerning the same; and if any Owner or Occupier of any Water-Courses, Ditch or Ditches adjoining to the said High-ways or Roads, shall Neglect or Refuse to Scour or Cleanse such Water-Courses, and to make such Ditches so Deep and in such Manner as the Surveyor or Surveyors shall adjudge Proper and Convenient, after Ten Days Notice shall be given, for that purpose, by such Surveyor or Surveyors, or such Person or Persons who shall be Appointed by him or them, to such Owner or Owners, it shall and may be Lawful

ful to and for the Surveyor and Surveyors, to Set any Man or Men to Work, to Scour, Cleanse and Make the same, and by Warrant in Writing under the Hands and Seals of any Five or more of the said Trustees, to Levy the Charge thereof upon the Persons Goods or Estates, of the Owner or Owners, Occupier or Occupiers of such Water-Courses, Ditch or Ditches, by Distress and Sale of his, her, or their Goods and Chattels, rendering the Overplus (if any be) to the said Owner or Occupier, after all Charges paid.

And whereas the said High-way or Road leading from the said Town of Mallow, in the County of Cork, through the Lands of Drumdown, Killmaclinin, and Lisgriffin, to Newcastle, in the County of Limerick, and from thence to the Fair place at Glin, in the said County of Limerick, and from thence to Killmeany, in the County of Kerry, may be considerably shortened, and made much more convenient for Travellers, if the same was carried straight, and in a direct Line, where the same is now crooked;

For Remedy whereof, and that all just and reasonable Satisfaction may be given for the Land made use of in carrying such Road straight, as aforesaid;

Be it further Enacted by the Authority aforesaid, That it shall and may be Lawful

ful to and for the said Trustees, or any Eleven or more of Them, to Ascertain, Describe, and set Apart, such Part and Proportion adjoining or contiguous to the said High-way or Road, or which otherwise lies most convenient for carrying on and continuing the said High-way or Road straight and in direct Lines, as They the said Trustees, or any Eleven or more of Them, shall judge necessary, for carrying the same straight and in a direct Line, as aforesaid; and the said Trustees, or any Eleven or more of Them, are hereby further Authorized and Impowered to Treat and Agree with the Owners, and others, Interested in the said Ground, to be made Use of in carrying the said Road straight, as aforesaid, for such a Recompence and Satisfaction to be made for the same, out of the Tolls and Duties arising by Virtue of this Act, as the said Trustees, or any Eleven or more of Them, shall think fit and reasonable; And in Case any Person or Persons shall Neglect or Refuse to Treat or Agree, as aforesaid, or through any Disability, by Nonage, Coverture, or Special Limitation in any Settlement or Settlements, or by Reason of any other Impediment, cannot, or otherwise, howsoever, Refuse to Dispose of their respective Interest in such Land, as the said Trustees, or any Eleven or more of Them, shall think convenient, for shortening the said Road; in every such Case, the said Trustees, or any Eleven or more of

Them,

Them, are hereby Authorized and Impowered to Issue forth Their Warrant or Warrants to the Sheriff or Sheriffs of the County wherein such Ground doth lye, to Impannel and Return, before the said Trustees, or any Eleven or more of Them, at such Time and Place, within the said County, as shall be Appointed in such Warrant or Warrants, a sufficient Jury, who, upon Their Oaths, which said Oaths the said Trustees, or any Eleven or more of Them, are hereby Impowered and Required to Administer, shall Inquire into the true and real Value of such Ground to be made Use of for the said High-Way or Road; And such Verdict or Inquisitions as shall be so Found and Returned by the said Jury, Ascertaining the Value of such Ground, shall be final and conclusive, as well to the said Trustees, as to the several and respective Owners and Proprietors of such Grounds, notwithstanding any Disability or Incapacity whatsoever.

And for as much as the Money to be Collected by such Receipt of the said Toll, will not at present be sufficient for the speedy Repairing the said High-Way or Road;

Be it further Enacted by the Authority aforesaid, That the said Trustees, or any Fifteen or more of Them, shall and may, and They are hereby Impowered, from Time to Time, by Writing under Their respective

Hands and Seals, to Allign over the said Tolls or Duties hereby Granted, or any part thereof, the Costs and Charges whereof to be Borne and Paid out of such Separate Toll or Duty, for any Term or Time during the Continuance of this Act, as a Security for any Sum or Sums of Money by Them to be Borrowed for that Purpose, to such Person or Persons, or their Trustees, who shall Advance and Lend the same, to Secure the Repayment thereof, with lawful Interest, or less, if the same can be had; which said Money Borrowed, shall be Applied and Disposed of to Repair and Amend the said Road, and to no other Use or Purpose whatsoever.

And be it also Enacted by the Authority aforesaid, that the said Trustees, or any Fifteen or more of them, shall and may, and are hereby Impowered from Time to Time, by Writing under their respective Hands and Seals, to Allign over the said Toll or Duty hereby Granted, or any part thereof, for any Term or Time during the Continuance of this Act, to any Person or Persons who shall Undertake the Making the said Road, or that part thereof, out of which such Toll or Duty is to Arise:

Provided such Person or Persons be Obliged to Repair such Road within six Years from the Commencement of such Lease, and

and to keep the same in Repair, during the said Demise and not otherwise. CHAP. XIX.

And be it further Enacted by Authority aforesaid, That it shall and may be Lawful to and for the said Trustees, or any Five or more of them, from Time to Time, during the Continuance of this Act, to make out Warrants or Orders, in Writing under their Hands, Directed to the Treasurer or Receiver of the said Tolls, Requiring him to pay thereout to the Person or Persons Named in such Warrant or Order, their Executors, Administrators, or Assigns, the growing Interest of the Sum of Money mentioned in such Warrant or Order as the same shall from Time to Time become Due, until such Time as the Principal Sum, mentioned in such Warrant or Order shall be paid and Discharged, at one Intire payment:

Provided that no Warrant or Order to be Issued to the said Treasurer or Receiver, by Virtue of this Act, shall be for any greater Sum than Fifty Pounds.

And be it further Enacted by the Authority aforesaid, That all and every Person or Persons to whom such Warrants or Orders shall be given, his, her or their Executors or Administrators, may, by Endorsements on such Orders or Receipts, Transfer the Right and Benefit of the

Sum mentioned in such Warrants or Orders; which Indorsement, upon Notice to the Treasurer or Receiver of the said Tolls, and an Entry or Memorial thereof made in a Book to be kept for that Purpose, which the said Treasurer or Receiver shall, upon Request, without Charge, Fee or Reward, make accordingly, and shall, upon the like Request, permit to be Viewed at reasonable Hours, without Fee or Reward, shall Intitle the Indorsee or Assignee, his, or her Executors, Administrators, or Assigns to the sole Benefit of the Sum so Transferred or Assigned; and that the said Warrant or Order, may in like manner be Assigned or Transferred by such Assignee, his, or her Executors or Administrators, and so Toties Quoties; and, that after such Assignment, it shall not be in the Power of the Person or Persons who made such Assignment, to make Void, Release or Discharge the said Assignment, or the Sum thereby Transferred or Assigned, or any part thereof.

And be it further Enacted by the Authority aforesaid, That the Treasurer or Receiver of the said Toll, shall Arithmetically Number all the Warrants or Orders which shall be Given or Delivered out, in Pursuance of this Act, as they shall be Delivered out, Commencing by Number One, and so Continuing the Numbers till the Whole be Arithmetically Numbered.

And

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And be it further Enacted by the Authority aforesaid, That the several Tolls and Duties hereby made payable, shall be Applied and paid to the Discharge of the Interest of so much Money as shall be Borrowed, in pursuance of this Act, and towards Repairing the said Road; and that all the Surplus of the said Tolls and Duties hereby made payable, over and above what shall be Sufficient to Discharge the said Interest, and Repair the said Road, shall be Applyed in Discharge of the principal Money, so Borrowed, in the manner herein after mentioned (Videlicet) that when and as often as such Surplus, received by the said Treasurer or Receiver, shall Amount to the Sum of Two Hundred Pounds, then the said Treasurer or Receiver shall Cause the Numbers of all the Warrants or Orders which shall be Issued and Delivered out, in pursuance of this Act, and the Sums therein Contained, to be Written on several Tickets or Pieces of Parchment, and to be Rolled and Folded up, and put into a Box or Urn, and well Mixed together, and an indifferent Person, to be Appointed by the said Trustees, or any Five or more of them, shall Publickly, between the Hours of Ten and Twelve in the Forenoon of a Day to be by the said Treasurer or Receiver Publickly Advertised, in the Paper Called The Munster Journal, for that Purpose, at least Twenty Days before,

at Newcastle, aforesaid, Draw out of such Box or Urn as many of the said Tickets or Pieces of Parchment as the Sums therein Contained shall Amount to the said Sum of Two hundred Pounds, and the Person or Persons, the Number of whose Warrants or Orders shall be so Drawn, as aforesaid, shall be paid by the said Treasurer or Receiver, the Principal Sums to him or them respectively Due, with the Interest for the same till paid; and shall, upon payment thereof, Deliver up his and their several and respective Warrants, or Orders to the said Treasurer or Receiver to be Cancelled accordingly; and the Interest Payable by Virtue of such Warrants or Orders shall Cease from the Expiration of Twenty Days, to be Accounted from the Day of Drawing the said Tickets or Pieces of Parchment.

Provided allways, That in Case there shall be more than one Gate or Turnpike in, Gross or on the Side of the said Highways or Roads between the said Town of Mallow in the County of Cork, through the Lands of Drumdown, Killmaclinin and Lisgriffin to Newcastle in the County of Limerick, and from thence to the Fair Place at Glin, in the said County of Limerick, and from thence to Killmeany in the County of Kerry, no Person or Persons having paid the Toll or Duty at the first Gate or Turnpike through which such Person or Persons shall pass, and receiving a Note or Ticket

that

that the ſaid Toll or Duty was paid, which Note or Ticket the Receiver or Receivers, Collector or Collectors, is, and are hereby Required to give Gratis, ſhall be liable to pay any Toll or Duty, at any other of the ſaid Gates or Turnpikes upon the ſaid High-way or Road, ſuch Perſon or Perſons, Delivering the ſaid Note or Ticket to the ſaid Receiver or Receivers, Collector or Collectors of the ſaid Toll or Duty, at the laſt Gate or Turnpike, the ſame Day; And no Perſon or Perſons, having Occaſion to paſs the Place or Places where the Toll or Duty is Taken, who ſhall Return the ſame Day, upon, or with the ſame Horſe, Mare, or Gelding, Aſs, Mule, Cattle, Coach, Berlin, Chariot, Chaiſe, Chair, Calaſh, Waggon, Cart, Car, or other Carriage, ſhall be liable or compellable, the ſame Day, to pay the ſaid Toll or Duty more than once on the ſaid Road; And for preventing Frauds and Abuſes in the ſaid Toll or Duty,

Be it Enacted by the Authority aforeſaid, That if any Perſon or Perſons having paid the Toll or Duty by this Act Granted and made Payable, and having ſuch Note or Ticket, Notes or Tickets, as is hereby Directed, ſhall Give or Diſpoſe of the ſame to any other Perſon or Perſons, in Order to avoid the Payment of the ſaid Toll or Duty, every ſuch Perſon, Giving, Diſpoſing, or Offering, and the Perſon Receiving ſuch Note or Ticket, Notes or Tickets, and be-

ing thereof Convicted, upon the Oath of One or more Witness or Witnesses, before the said Trustees, or any Five or more of Them, or before any One or more Justice or Justices of the Peace for the County wherein such Offence or Offences shall be Committed, which Oath the said Trustees, and the said Justice or Justices are hereby Impowered and Required to Administer, shall respectively Forfeit and pay the Sum of Ten Shillings; to be Levied, Recovered, and Disposed of, as any other Penalty or Forfeiture is Directed to be Levied, Recovered, and Disposed of, by this Act.

And be it further Enacted by the Authority aforesaid, That the said Trustees, or any Fifteen or more of Them, may, at any Meeting to be Held by Them from Time to Time, as they shall see convenient, or think fit, Contract with any Person or Persons for the Farming and Letting the Tolls Arising by this present Act, for any Sum or Sums by the Year, to be paid by Monthly or Quarterly Payments, or oftener, to such Person or Persons, who shall be Appointed from Time to Time, by the said Trustees, or any Five or more of Them, to Receive such Quarterly or other Payments, as shall be Contracted for, after such Contract or Agreement shall be made:

Provided such Term, so to be Granted by Them, of the said Toll, shall not Exceed the

Term

Term of Two Years at any one Time of Letting or Farming the same, and so Toties Quoties.

Provided also, And be it further Enacted by the Authority aforesaid, That no Person shall be Charged with any of the Tolls and Duties, aforesaid, who shall pass through any of the Turnpikes to be Erected by this Act, who shall carry any Quantity of Stones, Gravel, or other Materials, for Repairing the said Road, or any of the said Roads; nor shall any Person or Persons be Chargeable with the said Toll or Duty, for any Carts, Cars, or Waggons, loaden with Corn in Straw only, nor for any Ploughs, Harrows, or other Implements of Husbandry, in order to the Using or Repairing the same, in the several Parishes in which the High-Ways or Roads hereby intended to be Repaired, do lie; nor shall any Toll or Duty be Demanded or Taken at any of the Turnpike or Turnpikes to be Erected, for any Horse, Mare, or Gelding, or Mule, or other Cattle going to Water; or for any Post-Horse carrying the Mail or Pacquet; or for such Horse as is, or shall be Used only to Ride on, by the Owner or Driver of any Waggon, Cart, or Carriage.

Provided such Horse pass through the said Turnpike or Turnpikes with such Waggon, Cart, or Carriage; nor shall any Toll or Duty be Demanded or Taken for the

Horses of Soldiers passing, that are upon their March; or for Waggons, Carts, Cars, or other Carriages, travelling with Vagrants, sent by Passes, or with Prisoners transmitted from one Part of the Kingdom to another.

And be it further Enacted by the Authority aforesaid, That the Toll or Duty hereby Granted, shall take Place and have Continuance, from and after the First Day of May, One thousand seven hundred and fifty six, for and during the Term of Sixty one Years.

Provided nevertheless, That if at any Time before the Expiration of the said Term of Sixty one Years, all Parts of the said Roads shall be sufficiently Amended and Repaired, and so Adjudged by the Majority of Trustees Appointed, or hereafter to be Chosen, by Virtue of this Act, by any Adjudication made, and after Repayment of such Money as shall have been Advanced or Borrowed, with Interest for the same, and the Costs and Charges thereof, the said Tolls and Duties shall cease and determine; any Thing herein contained to the Contrary, notwithstanding.

And be it further Enacted by the Authority aforesaid, That for the continuing a sufficient Number of able Persons to be Trustees for putting in Execution all and every the Powers in this Act contained, for

for and during the Continuance thereof, it shall and may be lawful to and for the said Truſtees, or any Nine or more of Them, upon the Death of any of the said Truſtees, or Their Removal, or Refuſing to act in the said Truſt, from Time to Time, and at all Times hereafter, during the Term aforeſaid, to Elect, Nominate, and Appoint, in the Room of ſuch Truſtee or Truſtees, ſo Deceaſed, Removed, or Refuſing to Act, any fit or able Perſon or Perſons living in the ſaid Counties of Cork, Limerick, and Kerry, to be Joined with the ſaid Truſtees, in the Execution of all and every the Power and Powers in Them Repoſed, by Virtue of this Act: And all and every Perſon and Perſons, ſo to be choſen Truſtee or Truſtees, to join in putting this Act in Execution, as they are herein before Qualified to do, ſhall and may, and are hereby Impowered to Act, to all Intents and Purpoſes, in as full, large, and ample Manner, as the ſaid Truſtees are by this Act Impowered to do, and ſo Toties Quoties, as often as Occaſion ſhall Require.

And be it further Enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Nine or more of them, ſhall meet at Newcaſtle in the County of Limerick on the Firſt Day of June, One thouſand ſeven hundred and fifty ſix; and the ſaid Truſtees after Adjourning themſelves, ſhall, for ever after, during the Continuance of this Act,

give Notice in The Munster Journal, of the Time and Place of their next Meeting, as often as it shall be Necessary for putting this Act in Execution:

And if it shall happen that there shall not Appear at any Meeting that shall be Appointed to be Had or Held by the said Trustees, a sufficient Number of the said Trustees to Act at such Meeting, and to Adjourn to any other Day, then and in such Case the Clerk of the said Trustees, by Notice to be given in the said Munster Journal, at least Ten Days before the next Meeting, shall Appoint the Time and Place of their next Meeting; and that the said Trustees at their first Meeting, and at all other Subsequent Meetings, shall Defray their own Charges and Expences.

Provided, that if the said Newspaper, called The Munster Journal, should Cease and be Discontinued, the Notices herein before mentioned shall be Affixed to their respective Gates or Turnpikes, on the said Roads, as in such Cases is usual.

Provided allways, And be it further Enacted by the Authority aforesaid, That no Person or Persons Appointed, or to be Appointed by this Act, as Trustee or Trustees for putting this Act in Execution, shall Have, or Accept of any Place of Profit arising out of, or by reason of the Toll, or Duty by this

this Act Laid or Granted: But such Person or Persons shall be Incapable, from the Time of Accepting and continuing to Enjoy such Place of Profit, of Acting as a Trustee.

Be it further Enacted by the Authority aforesaid, That no such Trustee or Trustees, shall, in his or their own Name, or in the Name or Names of any other Person or Persons, Undertake or Contract for the Repair of the said Roads, or any part of them, whereby any Profit may Arise to him or them: But that from such Time he or they shall cease to be a Trustee, or Trustees; and that any Person or Persons, that shall Undertake or Contract for the Repairing or Amending the said Roads, or any part of them, shall, if required, take an Oath before the said Trustees respectively, or any Seven or more of them, which Oath they have hereby Power to Administer, that he or they do Undertake the same, for his or their own Use, and not for the Use of, or in Trust for, such Trustee or Trustees whatsoever.

Be it further Enacted by the Authority aforesaid, That if any Suit shall be Commenced against any Person or Persons for any thing done in pursuance of this Act, that, in every such Case, the Action shall be laid in the said Counties of Cork, Limerick or Kerry, and not elsewhere; and the Defendant or Defendants, in such Action or Actions

to be brought, may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Tryal to be had thereupon, and that the same was done in pursuance, and by the Authority of this Act; and if it shall appear so to be done, or such Action or Actions shall be brought in any other County, that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff shall be Nonsuited, or Discontinue his Action, after the Defendant or Defendants shall have Appeared, or if on any Demurrer Judgment shall be given against the Plaintiff, the Defendant or Defendants, shall and may Recover treble Cost, and have the like Remedy for the same, as any Defendant or Defendants hath, or have, in any other Cases, by Law.

And be it Enacted by the Authority aforesaid, That this Act shall be Deemed, Adjudged, and taken to be, a Publick Act, and to be Judicially taken Notice of as such, by all Judges, Justices, and every other Person whatsoever, without specially Pleading the same.

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AN

ACT

TO

Continue, Explain and Amend, an Act, Intituled, *An Act for Amending and Repairing the Road leading from the Town of* Clonmell, *in the County of* Tipperary, *through the Towns of* Clogheen, Mitchelſtown, *and to* Doneraile *in the County of* Cork; *and for Diſcharging the ſaid Road from all Leaſes affecting the ſame.*

DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*. M.DCC.LVI.

CHAP.
XX.

AN

ACT

TO

Continue, Explain and Amend, an Act, intituled, An Act for Amending and Repairing the Road leading from the Town of Clonmell, in the County of Tipperary, through the Towns of Clogheen, Mitchelstown, and to Doneraile in the County of Cork; and for Diverting the said Road from all Leases affecting the same.

DUBLIN:

Printed by the Executor of GEORGE ARRAHAM GRIERSON, Printer to the King's Most Excellent Majesty, at the King's-Arms and Two Bibles in Essex-Street. M.DCC.LVI.

AN ACT

TO

Continue, Explain and Amend, an Act Intituled, *An Act for Amending and Repairing the Road leading from the Town of* Clonmell, *in the County of* Tipperary, *through the Towns of* Clogheen, Mitchelstown, *and to* Doneraile, *in the County of* Cork; *and for Discharging the said Road from all Leases affecting the same.*

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CHAP. XX.

WHEREAS by an Act passed in the Thirteenth Year of the Reign of his present Majesty, [Intituled, An Act for Amending and Repairing the Road leading from the Town of *Clonmell*, in the County of *Tipperary*, through the Towns of *Clogheen*, *Mitchelstown*, and to *Doneraile*, in the County of *Cork*;]

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several Tolls and Duties were Granted and Made Payable for Repairing the said Road; which Tolls and Duties were to take Place and have Continuance from and after the Second Day of June, One thousand seven hundred and forty, for and during the term of Forty one Years;

Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That the said Recited Act, and all and every the Powers and Authorities, Articles, Rules, Penalties and Clauses therein Contained, except so much thereof as is hereby Altered and Repealed, shall be in Force, and shall Continue and be Executed during the Remainder of the said Term of Forty one Years, and from and after the Expiration of the said Term, for and during the further Term of Forty one Years, and from thence to the End of the then next Session of Parliament.

And be it Enacted by the Authority aforesaid, That the Persons herein after Named, and the Survivors of them, and none other, shall be the Trustees for putting the said former Act and this present Act in Execution, that is to say, The Right Honourable John Earl of Egmont, The Right Honourable Hayes Lord Viscount Doneraile, The Right

Right Reverend Jemmet Lord Bishop of Cork, The Right Honourable James Lord Baron of Kingston, The Right Honourable Henry Boyle, Esquire Speaker of the House of Commons, Sir Richard Cox, Baronet, Sir John Freke, Baronet, Sir John Conway Colthurst, Baronet, Arthur Hyde, Stephen Moore, Philip Oliver, Richard Aldworth, Boyle Oldworth, John Colthurst, John Lysaght, John Lysaght, Junior, Arthur Hyde, the Younger, Robert Fitzgerald, Robert Deane, Richard Purcell, Henry Cole Bowen, William Freeman, Richard Newman, Henry Bowerman, John Wallis, Richard Townsend, Anthony Jephson, Robert Davis, Thomas Gibbins, Thomas Moore, Robert Graves, Esquires, Piercy Gethings, Gentleman, the Reverend William Nash, Michael Creagh, Gentleman, Doctor John Creagh, Christopher Crofts, James Knight, Amos Godsell, Gentlemen, the Reverend John Oliver, and William Lysaght, Gentleman, Robert Marshal, Esquire, one of the Justices of His Majesty's Court of Common Pleas, Nehemiah Donnellan, Stephen Moore, Esquires, Right Honourable Sir Thomas Prendergast, Baronet, Richard Penefather, Kinsmill Penefather, Mathew Jacob, Robert O'Callaghan, William Parsons, Esquires, Sir William Osborn, Baronet, George Mathew, Benjamin Bunbury, James Butler, Richard Moore, Thomas Chidley Moore, Captain Stephen Moore of Clonmell, Stephen Creagh Butler, Thomas Robert Moore, Thomas Hackett, John Hely Hutchinson, Cornelius O Callaghan, William Bunbury, Robert Shaw, Daniel Gahan, the Younger, Michael Green, Mathew Bunbury, the Younger,

er, Jeffry Walsh, John McGraith, Esquires, the Reverend Richard Foulke, the Reverend Joseph Moore, William Kellett, the Younger, Thomas Prendergast, Joseph Tenison, John White, John Miles, Robert Sergint, Richard Clutterbuck, Thomas Clutterbuck and William Markham, Gentlemen, John Saint Leger, Denham Jephson, Warham St. Leger, Leuellin Nash, St. Leger Aldworth, John Watkins, Andrew Ruddock, Chichester St. Leger, Esquires, the Reverend Arthur Sayres, Westrop Watkins, Gentleman, James White of Killburn, Gentleman, Daniel Crone, Gentleman, Andrew Nash, Gentleman, Richard Atkins of Rossagh, Gentleman, Hildebrand Hinchley, Gentleman, Grove White, Gentleman, and William Langely, Gentleman, Thomas Callaghan, Esquire, Marmaduke Grove, Esquire, Reverend Mr. John Kempston, Mr. James Prendergast, Mr. William Beere, Mr. Francis Ryan, Mr. Joseph Fennell, Mr. Richard Beere, Mr. William Fennell, Mr. John Edwards, Mr. Philip Ryan, Mr. David Dobbin, Mr. Hercules Beere, Senior, Mr. Edward Cooke, Mr. Richard Dobbin, Mr. Hercules Beere, Junior, and Mr. Solomon Delane, Junior.

And the said Trustees before Named, and the Survivors of them, shall be Invested with all the Powers and Authorities, by the said recited Act, given to the Trustees therein Named.

And whereas the Trustees in the said Recited Act Named, or some of them, without any

any Power or Authority given them by the said Act, have taken upon them to Demise the Tolls arising out of the said Road, unto Daniel Linnihane, Gentleman, then Clerk to the said Trustees, for the Term of Twenty one Years, from the Second Day of April, One thousand seven hundred and forty seven, in Consideration of the said Linnihane's paying off and Discharging an Arrear of Interest alledged to be then due to the Creditors of the said Road; as also, the growing Interest; and in further Consideration of his Repairing, and Keeping in Repair, that part of the said Road that lies within the County of Tipperary only; by which Lease (if valid) that part of the Road which lies in the County of Cork, will be Deprived, during the said Term of Twenty one Years, of that Benefit which is intended for it, by the said recited Act.

Be it Enacted by the Authority aforesaid, That the said Road leading from the said Town of Clonmell, in the County of Tipperary, to the Town of Doneraile, in the County of Cork, and the Tolls arising thereout, shall be from henceforth absolutely Freed, and for ever Discharged of and from the said Lease or Contract, and of and from all Leases made by the said Daniel Linnihane, and those deriving under him, of the Tolls and Duties arising out of the said Road, or out of any Part of said Road, and of and from all Compositions

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tions or Agreements made by the Trustees in the said former Act named, or any of Them, with any Person or Persons, for the Liberty of passing through the Gates Erected on the said Road, or through any of the Gates.

And be it further Enacted by the Authority aforesaid, That the several Persons to whom the Gates on the said Road, or any of them, have been Farmed, or Set by the said Linnihane, or his Representatives, shall, immediately, upon Demand, Deliver up the Possession of the several Gates to them so Farmed, or Set, unto the Persons to be Appointed by the said Trustees, or any Fifteen or more of them, to take Possession thereof; and also shall pay the several Sums which now are Due, and the Sums which shall be Due from them respectively, unto the Treasurer or Person to be Appointed by the said Trustees, or any Fifteen or more of them, to Receive the same; which Payments shall be sufficient Discharges to the Persons who shall make the same. And in Case the said Sums, or any of them, shall not be so Paid, the same, or such of them, as shall not be so Paid, shall be Recovered in a summary Way, before the Judges of Assize, by Civil Bill, in the Name of the said Treasurer, or Person to be Appointed to Receive the same, although the Sum sued for exceed Twenty Pounds; Provided the Person sued be duly Served with Summons

mons Twelve Days before the First Day of the Assizes; in which Case each Party shall have the like Benefit of Appeal, as in other Cases on Civil Bills.

And be it Enacted by the Authority aforesaid, That the Representatives or Representative of the said Linnihane, shall, with all convenient Speed, account before the said Trustees, or any Fifteen or more of them, for all such Sums as the said Linnihane, or his Representatives Received, or, without wilful Default, might have Received, out of the Money arising from the several Turnpikes Erected on the said Road; and that upon such Account the Representatives of the said Linnihane shall have Credit for all Sums laid out by them, or by the said Linnihane, on the said Road, and for all Sums paid by them, or the said Linnihane, towards the Discharge of any Debts or Debt affecting the Tolls of the said Road.

Provided allways, And be it Enacted by the Authority aforesaid, That the said Trustees shall make their Determination upon the Claim of the Representatives of the said Linnihane, within Six Months after the Commencement of this Act; And in Case the Representatives or Representative of the said Linnihane shall think him, her, or themselves aggrieved by any Account, Act, or Determination made or settled by such Trustees in the Premises, it shall and may be

lawful to and for the Representative or Representatives of the said Linnihane, to Apply in a summary Way, by Petition, to any Court of Equity in this Kingdom; which Court shall Hear and Determine the Matters complained of: And all Accounts to be stated, and Determinations to be made in the Premisses, by such Court, shall be final and conclusive to all Parties; to which Petition it shall be sufficient to make the Clerk or Treasurer to the said Trustees, a Party, in Order to Defend the same; provided such Petition be preferred within Six Months after such Determination of the said Trustees.

And whereas all the Tolls and Duties arising out of the said Road, have been Applied in the Repair of that Part thereof, that lies in the County of Tipperary, except about Seven Pounds Expended on a Bridge in the County of Cork;

Be it Enacted by the Authority aforesaid, That the Sum of One Hundred Pounds, yearly, for the Term of Four Years, to commence the First Day of May, One thousand seven hundred and fifty six, of the Tolls and Duties which shall, during the said Term, be Collected at the Gates Erected or to be Erected on that Part of the said Road which lies in the County of Tipperary, shall be applied and laid out in the Repair of that Part of the said Road which

lies

lies in the County of Cork; And that the Tolls and Duties from and after the Expiration of the said Term, to be Collected at the Gates Erected, or to be Erected, on that Part of the Road which lies in the County of Tipperary, shall be applied and laid out in the Repairing that Part of the said Road which lies in the County of Tipperary; And the Tolls and Duties from the First Day of May, One thousand seven hundred and fifty six, to be Collected at the Gates Erected, or to be Erected, on that Part of the said Road that lies within the said County of Cork, shall be applied and laid out in the Repairing that Part of the said Road that lies within the said County of Cork.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Fifteen or more of them, from Time to Time, as they shall see convenient, to Farm or Let, for Two Years, unto any Person or Persons, the Tolls arising out of the said Road, or any Part thereof, for any Sum or Sums, to be paid by Quarterly Payments, to such Person or Persons as shall be Appointed, from Time to Time, by the said Trustees, or any Fifteen or more of them, to receive the same.

Provided always, And be it Enacted by the Authority aforesaid, That the Costs and Expences of procuring this present Act of

Parliament shall be paid and Discharged out of the first Money arising by the Tolls and Duties to be Collected by Virtue of this Act, and the said recited Act.

And whereas Mænas O Keeffe, of Farrahy, in the County of Limerick, Gentleman, hath proposed to pay off the several Debts and Incumbrances affecting the Tolls of the said Road, and to Repair the said Road within the Term of Five Years, and to keep the same in Repair during the Term to be granted to him, and for Seven Years after the Expiration thereof; and also to defray the Expences of procuring this Act, in Case a Lease shall be made him of the said Tolls for the Term of Sixty eight Years, at a Pepper-Corn Yearly, and the said Mænas O Keeffe has offered to give sufficient Security for his faithful Performance of the said Proposal;

Be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Trustees, or any Eighteen or more of them, Nine of each of the Counties of Cork and Tipperary, by any Writing under their respective Hands and Seals, to Demise unto the said Mænas O Keeffe, the several Tolls and Duties arising and payable out of the said Road, for the Term of Sixty eight Years, upon the Conditions proposed by the said Mænas O Keeffe; provided he shall give sufficient Security for the faithful Performance

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formante thereof; and in Case the said Mænas O' Keeffe, shall not be willing or able to Carry into Execution his said Proposal;

Be it Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the said Trustees, or any Eighteen or more of them, Nine of each of the Counties of Cork, and Tipperary, by any Writing under their respective Hands and Seals, to Demise the several Tolls and Duties Arising and Payable out of the said Road, for such Term as they shall think proper, unto any other Person or Persons, upon the Terms proposed, as aforesaid, by the said Mænas O' Keeffe.

And be it further Enacted by the Authority aforesaid, That for the Continuing a sufficient Number of fit and able Persons to be Trustees for putting this Act and the said former Act in Execution, on the Death of any of the said Trustees, or his Removal or Refusing to Act in the said Trust, a Person resident in the said County, in which the Person so Deceased, Removed, or refusing to Act, did Reside, shall be Elected and Appointed in the Room of such Trustee, so Deceased, Removed or refusing to Act; and so Toties Quoties as often as Occasion shall Require.

And to prevent all Disputes which may hereafter Arise, concerning the Place of

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Meeting of the Trustees for Executing this Act of Parliament.

Be it Enacted by the Authority aforesaid, That the said Trustees shall Meet Alternately, in the County of Cork, and County of Tipperary, at some Convenient Place near the said Road; and that the first Meeting of the said Trustees, shall be on the first Monday in May, in the Year of our Lord, One thousand seven hundred and fifty six, at the Town of Mitchelstown in the County of Cork.

And be it further Enacted by the Authority aforesaid, That this present Act shall be Deemed, Adjudged and taken to be, a Publick Act, and shall be Judicially taken Notice of as such, by all Judges, Justices, and all other Persons whatsoever, without specially pleading the same.

AN

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AN

ACT

FOR

The Relief of the Creditors of the Bank lately kept by *William Lennox* and *George French*, of the City of *Dublin*; and of the Bank lately kept by the ſaid *William Lennox*.

GR

DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's Arms* and *Two Bibles* in *Eſſex-Street*. M.DCC.LVI.

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AN

ACT

FOR

The Relief of the Creditors of the Bank lately kept by William Lemmox and George Forrest, of the City of Dublin; and of the Bank lately kept by the said William Lemmox.

DUBLIN:

Printed by the Executor of George Faulkner Grierson, Printer to the King's Most Excellent Majesty, at the King's Arms and Two Bibles in Essex-Street. MDCCLVI.

AN

ACT

FOR

The Relief of the Creditors of the Bank lately kept by *William Lennox* and *George French*, of the City of *Dublin*; and of the Bank lately kept by the said *William Lennox*.

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WHEREAS William Lennox, late of the City of Dublin, Banker, did, for several Years, carry on the Trade or Business of a Banker, in the City of Dublin, and in the Year One thousand seven hundred and fifty one, took into Partnership George French, Gentleman; and the said William Lenox and George French, from the said Year One thousand seven hundred and fifty one, to the Third Day of March, in the Year One thousand seven hundred and

and fifty five, did carry on the Trade or Business of Bankers in the said City of Dublin, and several large and considerable Sums of Money were, from Time to Time, Deposited in the said respective Banks, for which, Promissory Notes, and Accountable Receipts, were Issued; And the said William Lennox and George French Failed in their Credit, and Stopped Payment, on the said Third Day of March, in the Year One thousand seven hundred and fifty five, and have ever since Absconded from their Creditors;

And whereas by an Act of Parliament Made in the Eighth Year of the Reign of His Majesty King George the First, [Intituled, An Act for the better securing the Payment of Bankers Notes;]

It is Enacted, That no Settlement or Conveyance, by any Banker, made of any Real or Personal Estate to him belonging, either in Law or Equity, after the Time that such Banker shall Abscond, and Conceal himself from his Creditors, although the same should be made for valuable Consideration, shall hinder or prevent any Creditor, to whom any Sum of Money shall have been Due, before the Time of such Absconding, from having such Debt as he shall Recover, Levied upon any such Real or Personal Estate, as such Banker, at the Time of his Absconding, shall have been possessed of, in such Manner, as if no

Settlement

Settlement or Conveyance thereof, had been made.

And whereas the Creditors of the said Banks are many in Number, and it will be very Difficult and Expensive for them to obtain proper Relief, according to the ordinary Course of Proceedings in the Courts of Law or Equity, and the Publick Credit of this Kingdom may be greatly Affected if a speedy Remedy be not provided;

Wherefore for the preventing Multiplicity of Suits, and for the more Speedy and Effectual Relief of the said Creditors, and for the providing a Fund for the payment of the Debts due to them; and in Order thereto that the Estates, Real and Personal, of the said William Lennox and George French may be applied in Satisfaction of their Debts; At the humble Petition of Your Majesty's Subjects, Edward Lord Bishop of Elphin, Sir Arthur Gore, Baronet, Sir Robert Echlin, Baronet, Robert French, Esquire, one of the Justices of his Majesty's Court of Common Pleas, Owen Wynne of the City of Dublin, Esquire, John French and David Nixon of the same City, Esquires, William Delap and Edwin Thomas of the said City, Merchants, and Mary Curtis of the same City, Widow, in behalf of themselves and several other Persons, Creditors of the said Banks;

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Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same, That the Right Honourable Percival Hunt, Esquire, now Lord Mayor of the City of Dublin, Hans Baillie of the said City, Alderman, Theobald Wolfe of the said City, Esquire, Mathew Weld, of the said City, Esquire, and William Forbes of Jervis Street, in the said City, Merchant, or any Three or more of them, or of the Survivors of them, be Made, and are hereby Appointed, Commissioners to Hear and Determine the several Claims, and to Settle and Adjust the several Accounts relating to, or Concerning the Estates Vested in the Assignees herein after Named and Appointed, and to make such Orders, Adjudications, and Determinations, as they the said Commissioners, or any Three or more of them, are hereby Authorized and Impowered to make concerning the same.

And be it further Enacted by the Authority aforesaid, That all and every Person and Persons whatsoever, who have, or Claim to have, any Demand upon, or out of all, or any the Real or Personal Estates, either Separate or in Partnership, Vested in the Assignees, as herein after mentioned, by Mortgage, Judgment, Statute Staple,

or

or Merchant Recognizance, Bond or other Speciality, or by Notes or Bills of Exchange, or other simple Contracts, or any other Ways, as Creditors for Money, really and bona fide Lent, shall and may, on or before the First Day of September, in the Year of Our Lord, One thousand seven hundred and fifty six, Enter and Exhibit his, her, or their Claim or Claims, before the said Commissioners or any Three or more of them, setting forth their several and respective Demands, and the Nature of them, and how much he, she or they Claims, or Claim to be Due to to them respectively; which Claims they the said Commissioners, or any Three or more of them, are hereby Impowered to Receive, and to Examine and Determine the same, in a Summary Way, before the First Day of February, in the Year One thousand seven hundred and fifty seven; except such of them as shall be Agreed, or Compounded by and between the said Claimants, and the said Assignees, or any two of them. CHAP. XXI.

And for the better Executing the said Trust in the said Commissioners Reposed;

Be it Enacted by the Authority aforesaid, That the said Commissioners, or any Three or more of them, shall, and may Examine upon Oath, or being of the People called Quakers, upon Solemn Affirmation, all and every such Witness and Witnesses as shall be Produced before them, for or against any

such Claimant or Claimants; and, at the Request of any of the Parties, may, by Writing under the Hands of the said Commissioners, or any Three or more of them, Order any Witness or Witnesses to appear, and give their Testimony before them, and may likewise Examine all and every such Claimant or Claimants upon Oath, or being of the People called Quakers, upon Solemn Affirmation, concerning the Truth of the Matters contained in the said respective Claims, which said Oath or Oaths, Affirmation or Affirmations, they, the said Commissioners, or any Three or more of them, are hereby Impowered to Administer, as well to the said Witness or Witnesses, as to the said Claimant, or Claimants; and that the said Commissioners, or any Three or more of them, shall and may take Affidavits, and Administer Oaths, Touching and Concerning the Service of their Orders, Notices and Summonses; and shall and may State and Settle all Accounts with the said several Creditors, or any of them, touching or Concerning his, her, or their Claim or Claims, and Demands, and the several Sums which shall have been by them or any of them Had or Received, for, or on Account of their said Debts respectively, and thereupon Adjudge and Determine, how much is then really Due, and Owing to such Creditor or Creditors, so Claiming, as aforesaid.

Provided

Provided always, And be it further Enacted by the Authority aforesaid, That if the said Claimant or Claimants, or any of them, or any other Person or Persons, shall think him, her, or themselves Aggrieved by any Judgment or Determination of the said Commissioners, or any Three or more of them, of or Concerning any Debt or the Quantum thereof, or the Stating and Setting the Account thereof, or any other Judicial Determination of the said Commissioners, or any Three or more of them, it shall and may be Lawful to and for such Person or Persons, by Petition to the Lord Chancellor, Lord Keeper, or Commissioners for hearing Causes in the High Court of Chancery in this Kingdom, for the Time being, at any time within the Space of Thirty successive Days, after such Judgment or Determination pronounced, to Appeal from such Judgment or Determination; which Appeal, the said Lord Chancellor, Lord Keeper, or Commissioners for hearing Causes in the said Court of of Chancery, shall Examine, Hear, and Determine in a Summary Way, before the First Day of June, One thousand seven hundred and fifty seven; and shall and may, in Case such Appeal shall appear to be Frivolous or Vexatious, Order and Decree such Costs as in his or their Discretion shall seem Reasonable, to the Person or Persons Aggrieved by such Frivolous or Vexatious Appeal; and the Judg-

ment or Decree of such Lord Chancellor or Lord Keeper, or Commissioners for hearing Causes in the Court of Chancery, as aforesaid; and also, the Judgment and Determination of the said Commissioners hereby Appointed, or any Three or more of them, if not Reversed by the said Lord Chancellor, Lord Keeper, or Commissioners for hearing Causes in the Court of Chancery, shall be Final and Conclusive, to all Persons concerned.

And be it further Enacted by the Authority aforesaid, That where Costs shall be Ordered and Decreed, as aforesaid, such and the like Process shall Issue for the Recovery thereof, against the Person or Persons against whom such Costs shall be Ordered and Decreed, as Issue for the Recovery of Costs under Decrees made in the said High Court of Chancery; and that where such Costs shall be Awarded and Decreed to the said William Lennox and George French, or either of them, or to any other Person or Persons on account of the Estates of them, or either of them, hereby Vested in the Assignees herein after Named, such Costs, when Recovered, shall be Deemed and Considered as part of the Effects of the said William Lennox and George French, respectively, and be applied to the Purposes herein after Directed, concerning their respective Estates.

And

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And be it further Enacted by the Authority aforesaid, That all and every the Creditor and Creditors, aforesaid, who shall not, on or before the First Day of September, which shall be in the Year One thousand seven hundred and fifty six, Exhibit his, her, or their Claim or Claims before the Commissioners aforesaid, and whose Claim or Claims shall not be Determined by the said Commissioners, or any Three or more of Them, before the said First Day of February, in the Year of Our Lord, One thousand seven hundred and fifty seven; or, in Case of an Appeal to the said Lord Chancellor, Lord Keeper, or Commissioners, for hearing Causes in the said Court of Chancery, in this Kingdom, before the said First Day of June, in the said Year One thousand seven hundred and fifty seven, shall be, and are hereby Declared and Adjudged to be, utterly Barred of any Remedy for Recovery of his, her, or their Demand or Demands, either at Law or in Equity, out of, or upon all or any of the Estates or Effects hereby Vested in the Assignees herein after mentioned.

Provided allways, And be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, residing or being out of this Kingdom, to make their Claim or Claims, pursuant to this Act, at any Time or Times

on or before the First Day of November, which shall be in the Year One thousand seven hundred and fifty six; which Claims, they, the said Commissioners, or any Three or more of them, are hereby Impowered to Receive, and to Examine and Determine the same, in a Summary Way, before the First Day of March, which shall be in the Year One thousand seven hundred and fifty seven; except such of them as shall be Agreed or Compounded by and between the said Claimants and the said Assignees, or any two of them; And that all Claims for Infants, pursuant to this Act, shall and may be made by their Fathers, or Guardians, or any other Person or Persons in their Behalf; And that all such Claims of Femes Covert, shall be made by their Husbands; and that all such Claims of Madmen, Ideots, or Lunaticks, by such Person or Persons under whose Care or Custody they are, or shall be, at the Times of Exhibiting such Claims.

And be it further Enacted by the Authority aforesaid, That all and every such Person and Persons residing, or being out of this Kingdom, such Infants, Ideots, Lunaticks and Femes Covert, who shall not, on or before the said First Day of November, which shall be in the Year of our Lord One thousand seven hundred and fifty six, Exhibit his, her, or their Claim or Claims before the said Commissioners, as aforesaid, shall be, and

and are hereby Declared and Adjudged to be utterly barred of any Remedy, for Recovery of his, her or their Demand or Demands, either at Law or in Equity, out of, or upon all or any of the Estates or Effects hereby Vested in the said Assignees.

And be it Enacted by the Authority aforesaid, That due Notice shall be given of the Time Limitted by this Act, for the Exhibiting such Claims and Appeals, by the said Commissioners, or any Three or more of them, before the First Day of August, in the said Year, One thousand seven hundred and fifty six, by posting an Advertisement in the Tholsel and Four Courts of Dublin, and causing the same to be published in the Dublin Gazette, from Time to Time, for four Weeks before the said First Day of August, in the said Year, One thousand seven hundred and fifty six.

And in regard the Assignees herein after mentioned, may not have the Title Deeds of all or any the Lands, Tenements, and Premisses, by this Act Vested in the Assignees, nor the Counter Parts of all or any of the Leases, Contracts or Agreements by which the same, or any of them, is or are held and enjoyed.

And as it may be Necessary for taking the said Accounts, and Adjusting and Determining the said Claims herein before Directed, that all the Books, Papers, and

Writings, relating to the said Accounts and Claims, shall be produced before the said Commissioners; and in Case of an Appeal before the Lord Chancellor, Lord Keeper, or Commissioners for hearing Causes in the Court of Chancery, aforesaid, for the Time being;

Be it therefore Enacted by the Authority aforesaid, That all and every such Person and Persons who hath or have any Lease or Leases, or any Agreement for any Lease or Leases, of all, or any Part of the said Lands, Tenements, Hereditaments, and Premisses, by this Act Vested in the said Assignees, made by the said William Lennox and George French, respectively, or any Person or Persons under whom they respectively Derive, at any Time before the said Third Day of March, One thousand seven hundred and fifty five, shall, within Three Kalendar Months next after Publick Notice shall, for that Purpose, be posted up at the Tholsel and Four-Courts of Dublin, and published in the Dublin Gazette, Bring in, and Deposit with such Commissioners, or any Three or more of them, as by such Notice shall be for that Purpose Nominated and Appointed, their said several Leases and Agreements, and Prove the same, and the Time or Times of the Perfection thereof; And that the said Commissioners, or any Three or more of them, shall and may cause true Copies of all and every such Lease or Leases, Contracts

tracts and Agreements, as shall be so Brought in, Deposited, and Proved, to be made on Parchment; And that the said Commissioners, or any Three or more of them, shall, under their Hands and Seals, attest the same, respectively, to be true Copies of the said Originals, which shall be so Lodged with them; and shall also Indorse on the said Original Leases or Agreements, respectively, that such Copies were taken, and the Day and Year of taking the same; which Indorsements shall also be Subscribed by any Three or more of the said Commissioners, as aforesaid. And that as soon as such Copies shall be taken, and Indorsements made, the said Original Leases or Agreements shall be given back, and Restored to the Persons, respectively, who shall have Brought in, Deposited, and Proved the same, as aforesaid.

And in Case any Person or Persons shall Neglect or Refuse to Bring in, Deposit, and Prove, to the Satisfaction of the Commissioners, or any Three of them, his, her, or their Lease, or Leases, Agreement, or Agreements, as aforesaid, all and every such Lease and Leases, Agreement and Agreements, is, and are hereby Declared to be, null and void, as against the said Assignees; and all and every Person and Persons Claiming or Deriving, or to Claim or Derive, by, from, or under them, or any Two of them; and all and every such Copy and Copies as shall be made of any

such Lease or Leases, Agreement or Agreements, and shall be Attested by the said Commissioners, or any Three or more of them, as aforesaid, shall be, by the said Commissioners, or any Three or more of them, Delivered to the said Assignees, or any Two of them, and shall, in all or any of the Courts of Law or Equity in this Kingdom, be Deemed and Taken to be as full and good Evidence of such Leases or Agreements, as if the Originals had been Produced, Proved and given in Evidence, on the Part and Behalf of the said Assignees, or any Two of them, or of any Person or Persons Deriving by, from, or under them, or any Two of them; any thing herein before Contained, or any Law or Usage to the Contrary thereof, in any wise, notwithstanding.

Provided allways, That if any Doubt shall arise, touching the Reality of any such Lease or Agreement, for a Lease so to be brought in and Deposited with the said Commissioners; then the Person or Persons Claiming such Lease, or the Benefit of such Agreement shall Exhibit one or more Claim or Claims, before the said Commissioners, on or before the First Day of February, which shall be in the Year, One thousand seven hundred and fifty seven; which Claim or Claims, the said Commissioners are hereby Authorized to Receive, and to Determine the Reality of such Lease or Leases, Agreement or Agreements, so Claimed, as aforesaid,

ſaid, with ſuch Right of Appeal, as aforeſaid, to the Parties concerned.

And be it further Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Three or more of them, by Writing under their Hands and Seals, to order any Perſon or Perſons who ſhall have any of the Title Deeds belonging to or any of the Securities for Debts Due or Owing unto the ſaid William Lennox and George French, or either of them, or wherein they, or either of them, are Intereſted, to bring in upon Oath, or being of the People called Quakers, upon ſolemn Affirmation (which Oath and Affirmation, the ſaid Commiſſioners, or any Three or more of them, are hereby Impowered to Adminiſter) and Depoſite ſuch Deed or Deeds, Security or Securities, with the Regiſter to be Appointed, by Virtue of this Act: But not to be Inſpected but by the ſaid Aſſignees, or by the Order of the Commiſſioners, or any Three or more of them.

And be it further Enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Three or more of them, ſhall, and may, by Writing under their Hands and Seals, order any Perſon or Perſons, who ſhall have in their Cuſtody or Power any Books, Papers, or Writings, which the ſaid Commiſſioners, or any Three or more of them, ſhall think neceſſary to be Produced,

in order to the Settling of the said Accounts, and Adjusting the said Claims, hereby directed to Produce upon Oath, or being of the People called Quakers, upon solemn Affirmation (which Oath and Affirmation, the said Commissioners, or any Three or more of them, are hereby Impowered to Administer) and to Deposite with the said Register, all such Books, Papers, and Writings, as aforesaid; And that all and every Person and Persons Interested in the said Claims and Accounts, shall have free Liberty to Resort to the said Books, Papers, and Writings, in the Hands of the said Register, and to make Use of the same, and to take Copies thereof, at their own Expence, as Occasion shall require.

And be it further Enacted by the Authority aforesaid, That the said Commissioners, or the major Part of them, by Writing under their Hands and Seals, may Appoint One or Two Person or Persons to officiate under them, during their Pleasure, in the Execution of this Act, in the Place or Capacity of a Register or Registers, who shall keep Books, and make and keep regular Entries of all their Proceedings, in the Execution of this Act; and, in particular, of all the said Claims and Adjudications, and of all Matters relating thereunto, and to Audit, State, Settle, and Report the Accounts of the aforesaid Creditors, and the Accounts which the said Assignees, or any

Two

Two of them, shall, pursuant to this Act, return to the said Commissioners, or any Three or more of them, or to the said Register or Registers; and that the said Register or Registers, shall have a Salary or Salaries not exceeding the Sum of Seventy Pounds Yearly, for his, or their said Service or Services, out of some part of the Money arising out of the Real and Personal Estates of the said William Lennox and George French; which the said Commissioners, or any Three or more of them, shall, by Writing under their Hands and Seals, Direct and Appoint; and which the said Assignees, or any Two of them, are hereby Impowered and Directed to pay.

And be it further Enacted by the Authority aforesaid, That the said William Lennox and George French do, and shall respectively, on or before the first Day of September, One thousand seven hundred and fifty six, Deliver in upon Oath, to the said Commissioners, or any Three or more of them (which said Oath the said Commissioners or any Three or more of them are hereby Impowered and Authorized to Administer,) full, true, exact and particular Accounts of their respective Estates, Real and Personal, hereby Vested, or intended to be hereby Vested, in the said Assignees, which the said William Lennox and George French, or either of them, or any Person or Persons in Trust for them, or either of them, were, or was Seized, Possessed of, Interested in, or Intitled unto, on the Third Day of March, in the Year, One

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thousand seven hundred and fifty five, or at any Time since, without any wilful Concealment or Omission therein (the Wearing Apparel of the said William Lennox and George French, their Wives and Children only excepted) and that the said William Lennox and George French, do, and shall, respectively, upon Notice to them, respectively given, by the said Commissioners, or any Three or more of them, within Ten Days after such Notice served, Deliver in to the said Commissioners, or any Three or more of them, all Mortgages, Bills, Bonds, Notes, and Securities for Money, which belonged to the said Banks, or either of them, or to the said William Lennox and George French, in their separate Rights, and all Books of Accounts in their Custody or Power, respectively; and that it shall and may be Lawful to and for the said Commissioners, or any Three or more of them, to Examine, from time to time, and as often as they shall see Occasion, the said William Lennox and George French, upon Oath (which Oath the said Commissioners or any Three or more of them, are hereby Impowered to Administer) concerning the Estates Real and Personal, hereby Vested, or intended to be Vested in the said Assignees; and that such of them, the said William Lennox and George French, as shall wilfully Refuse or Neglect to give in such Account as aforesaid, or shall be guilty of any wilful Concealment or Omission therein, or shall refuse to be Examined before the said Commissioners,

or

or any Three or more of them, touching or concerning their said respective Estates, Real and Personal, or any the Matters aforesaid, or upon such Examination, shall be wilfully forsworn, or shall wilfully Neglect or Refuse to bring in and Depositе such Securities and Books of Accounts, as aforesaid, shall be adjudged guilty of Felony without Benefit of Clergy.

And be it further Enacted by the Authority aforesaid, That upon the said William Lennox and George French, respectively, Delivering or giving in such Accounts, as aforesaid, to the said Commissioners, or any Three or more of them, and upon their respectively Submitting to be Examined, as aforesaid, to the Satisfaction of the said Commissioners, or any Three or more of them, and upon their respectively Delivering, or causing to be Delivered in, to the said Commissioners, or any Three or more of them, all their respective Estates and Effects, or so much thereof, as at the Time of such Examination shall be in their respective Custody or Power, to be Applied to the Uses of this Act, and upon their respectively Delivering, or causing to be Delivered in, to the said Commissioners, or any Three or more of them, all their respective Title Deeds and Securities for Money, which at the Time of such Examination shall be in their respective Custody or Power, and upon their making, respectively, a true and faith-

ful Discovery, to whom, upon what Account, and for what Consideration, the Residue of their said respective Estates and Effects has been Disposed of; then, and in such Case, the said Commissioners, or any Three or more of them, are hereby Impowered, and Required to Certify under their Hands and Seals the Conformity to the Directions of this Act, of such of them, the said William Lennox and George French, who shall so Conform, as aforesaid; and that such of them the said William Lennox and George French, who shall Obtain such Certificate, of such Conformity, as aforesaid, and all such Estate as the Person obtaining such Certificate shall have, Purchase or Acquire, after the Obtaining such Certificate, shall be absolutely Freed and Discharged, of, and from all Sum and Sums of Money Due and Owing by them, or either of them, to any Person or Persons whatsoever, at or before the Time of Obtaining such Certificate; and also, be Freed, and Discharged, of, and from all Suits, Outlawries, Claims and Demands whatsoever, had, made, or Commenced, or to be had, made or Commenced by any of their Creditors, against them, or either of them, or against their, or either of their Persons or Estates, Real or Personal, for, or on account of any Sum or Sums of Money Due or Owing by them, or either of them, at or before the Time of Obtaining such Certificate; any thing herein before Contained to the Contrary thereof, in any Wise, notwithstanding.

Provided

Provided allways, And be it Enacted by the Authority aforesaid, That the said Commissioners, or any Three or more of them, shall Meet, and Examine the said George French within four Months after the passing of this Act, and on the said George French's Complying with the Terms herein before for that Purpose Prescribed, the said Commissioners, or any Three or more of them, shall give such Certificate, as aforesaid, to the said George French, who shall, on his receiving such Certificate, be Discharged from any further Attendance before the said Commissioners.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the said Commissioners, or any Three or more of them, to Send for and Call before them, by such Warrant, Summons or other sufficient Ways or Means, as they, in their Discretion, shall think fit, all and every such Person and Persons as they shall be Informed and believe can give any Account or Information Concerning all, or any, or either of the Estates, Real or Personal, hereby Vested, or intended to be Vested, and to Examine, as well by Word of Mouth, as on Interrogatories in Writing, all and every Person and Persons duly Summoned before, or present at, any Meeting of the said Commissioners, or any Three or more of them,

upon Oath, or being of the People called Quakers, upon Solemn Affirmation, which Oath, and Solemn Affirmation, the said Commissioners, or any Three or more of them, are hereby Impowered and Authorized to Administer, touching all Matters relating to all or any of the Estates hereby Vested, or intended to be Vested, in the said Assignees; and also, to take down and reduce to Writing, or cause to be taken down, and reduced to Writing, the Answers, or verbal Examinations of every such Person or Persons, had or taken before them, as aforesaid; which Examination, so taken down, or reduced into Writing, the Party Examined shall, and is hereby Required to Sign and Subscribe; and that it shall and may be Lawful to and for the said Commissioners, or any Three or more of them, to Settle and Adjudge such Sum and Sums of Money, as they, or any Three or more of them, shall think reasonable, to be paid to such Person or Persons Summoned to be Examined, as aforesaid, for his, her, or their Charges, out of such Estates, as the Examinations of such Person or Persons, shall relate to; and that the said Assignees or any Two of them, shall, out of such Estates, respectively, Pay the Sum so Adjudged, and shall be allowed the same thereout, respectively.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons,

ſons, duly Summoned as aforeſaid, ſhall Neglect or Refuſe to come and appear before the ſaid Commiſſioners, or any Three or more of them, to be Examined, as aforeſaid, not having a Lawful Excuſe, to be made known to, and allowed by the ſaid Commiſſioners, or any Three or more of them; or if any Perſon or Perſons, preſent at any Meeting of the ſaid Commiſſioners, or any Three or more of them, ſhall refuſe to anſwer, or ſhall not fully anſwer to the Satisfaction of the ſaid Commiſſioners, or any Three or more of them, all Lawful Queſtions put to him, her or them, by the ſaid Commiſſioners, or or any Three or more of them, as well by Word of Mouth as by Interrogatories; or ſhall refuſe to Sign or Subſcribe his or their Examination, ſo Taken down or Reduced into Writing, as aforeſaid, not having a reaſonable Objection to be allowed by the ſaid Commiſſioners, or any Three or more of them; or if any Perſon or Perſons, ſhall wilfully Diſobey any of the Orders of the ſaid Commiſſioners, or any Three or more of them, which by this Act they are in any reſpect Impowered to make; it ſhall and may be Lawful to and for the ſaid Commiſſioners, or any Three or more of them, to Iſſue their Warrant or Warrants, under their Hands and Seals, to ſuch Perſon or Perſons as they ſhall think fit, to Apprehend any Perſon or Perſons for not Appearing, when duly Summoned as aforeſaid; or for refuſing to be

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Examined when present at any Meeting of the said Commissioners, or any Three or more of them; or for not Answering when on their Examination, to the Satisfaction of the said Commissioners, or any Three or more of them; or for Refusing to Sign or Subscribe his, her, or their Examination so Taken, or Reduced into Writing; or for Disobeying any such Order or Orders, as the said Commissioners, or any Three or more of them, shall make, pursuant to the powers given them by this Act, and for the carrying the same into Execution; and to Commit such person or persons to any prison in the City of Dublin, there to remain without Bail or Mainprize until such person or persons shall Obey their said Orders, or shall, in all respects touching the Execution of this Act, submit him, her, or themselves, to the said Commissioners, or any Three or more of them, and full answer make to the Satisfaction of the said Commissioners, or any Three or more of them, to all such Questions as shall be put to him, her or them, as aforesaid; and Sign and Subscribe such Examinations, as aforesaid; according to the true Intent and Meaning of this Act; or until he, she or they, shall be Discharged by the said Commissioners, or any Three or more of them, or by the Lord Chancellor, Lord Keeper or Commissioners for keeping the Seales in the High Court of Chancery in this Kingdom, for the Time being, upon Petition, setting forth the Na-

ture of the Caſe; and which ſaid Petition, the Lord Chancellor, Lord Keeper, or the Commiſſioners aforeſaid, is, and are hereby Impowered to Hear and Determine in a Summary Way.

And be it further Enacted by the Authority aforeſaid, That if any Goaler or Keeper of any Priſon, ſhall wilfully ſuffer ſuch Perſon or Perſons to Eſcape from ſuch Priſon, or to go without the Walls, or the Doors of the ſaid Priſon, until he, ſhe, or they ſhall be duly Diſcharged, as aforeſaid, ſuch Goaler or Keeper, ſhall for ſuch his Offence, being duly Convicted upon Indictment or Information, forfeit the Sum of One hundred Pounds of Lawful Money of Great Britain, to be paid to the ſaid Aſſignees, or any Two of them, and to be by them Applied towards the Expence of Paſſing and Executing this Act.

And be it further Enacted by the Authority aforeſaid, That it ſhall and may be Lawful to and for the ſaid Commiſſioners, or any Three or more of them, to Grant Protections to the ſaid William Lennox and George French, reſpectively, during their reſpective Attendance on them, and on the Aſſignees, or any Two of them, which Protection ſhall be taken Notice of, and allowed in all Courts, and by all Sheriffs, and other Officers of Juſtice, ſo that the Perſons of the ſaid William Lennox and George

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French, or either of them, shall not, during such their Attendance, be liable to be Arrested on account of any Debt, or by Virtue of any Writ, Process Outlawry, or Execution on account of any Debt; And also, That it shall and may be Lawful to and for the said Commissioners, or any Three or more of them, to Order, for the said William Lennox and George French, respectively, such reasonable Allowance for their Trouble during their Attendance in the Execution of this Act, as to the said Commissioners, or any Three of them, shall seem Reasonable; which Allowance shall be paid by the said Assignees, or any Two of them, to the said William Lennox and George French, respectively, out of their respective Estates, Real and Personal, hereby Vested in the said Assignees.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons who shall make Affidavit or Solemn Affirmation, or be Examined upon Oath or Solemn Affirmation by, or before the said Commissioners, or any Three or more of them, in pursuance of this Act, shall be wilfully Forsworn, and be thereof Lawfully Convicted, such Person or Persons shall be Subject and Liable to the Penalties and Punishment Inflicted by an Act Passed in this Kingdom in the Twenty eighth Year of the Reign of the late Queen Elizabeth, Intituled, An Act Concerning Wilful Perjury.

And

And be it further Enacted by the Authority aforesaid, That no Person herein before Named a Commissioner, or who shall be hereafter Nominated or Appointed a Commissioner or Register, pursuant to this Act, shall be capable of Acting as a Commissioner or Register, or Executing any of the Powers herein contained, until such Time as he shall have taken the Oath following (that is to say)

I *A. B.* do swear, That I will faithfully and impartially, according to the best of my Skill and Knowledge, without any Respect, Favour, or Affection to or for any Person, Execute the several Trusts reposed in me, by an Act of Parliament, [Intituled, *An Act for the Relief of the Creditors of the Bank lately kept by* William Lennox *and* George French, *of the City of* Dublin; *and of the Bank lately kept by the said* William Lennox;] and that without any Reward (save only such Reward as is Provided and Appointed by the said Act of Parliament) And that I am not, to my Knowledge or Belief, any way interested or concerned, directly or indirectly, in any of the Claims, Demands, or other Matters or Things, to be Settled, Adjudged, or Determined, by Virtue of the said Act of Parliament.

Which Oath shall be Administred to the said Commissioners, and Register or Registers, respectively, by the Lord Chancellor, Lord Keeper, or Commissioners for hearing Causes in the said High Court of Chancery,

for the Time being, who are hereby Impowered to Administer the same.

And for the better Discovery of the Real and Personal Estates, hereby Vested, or intended to be Vested in the said Assignees;

Be it Enacted by the Authority aforesaid, That all and every Person or Persons, who shall at any Time after the Time herein before Appointed, for the said William Lennox and George French, respectively, to make a full and true Discovery of their Real and Personal Estates, as aforesaid, voluntarily make a Discovery to the said Commissioners, or any Three or more of them, of any part of such Estates, not before come to the Knowledge of the said Commissioners, or any Three or more of them, or the said Assignees, or any Two of them, shall have and Receive Twenty Pounds by the Hundred, and also such further and other Reward as the said Commissioners, or any Three or more of them, shall think fit, out of the First Produce of such Estate which shall be Recovered on such Discovery; which shall be Paid to the Person or Persons so Discovering the same, by the said Assignees, or any Two of them, and the same shall be allowed to the said Assignees, as a good Payment, out of such Estate.

And be it further Enacted by the Authority aforesaid, That all and every Person and

and Perſons, who already hath or have accepted of any Truſt or Truſts of, or in all, or any the Real and perſonal Eſtates of the ſaid William Lennox and George French, or either of them, or wherein they, or either of them, are or is intereſted, and ſhall wilfully Conceal the ſame, and ſhall not, on or before the Firſt Day of February, One thouſand ſeven hundred and fifty ſeven, truly Diſcover and Diſcloſe ſuch Truſt and Eſtate in Writing, to the ſaid Commiſſioners, or any Three or more of them, ſhall be liable to, and hereby ſtand chargeable, with Double the Value of the Real and perſonal Eſtate or Effects, ſo Concealed; to be Recovered by Action of Debt, in any of his Majeſty's Courts of Record at Dublin, by the ſaid Aſſignees, or any Two of them, or by any Perſon or Perſons to be Nominated or Appointed by them, or any Two of them, to Sue for the ſame; which, when Recovered, ſhall be deemed, and taken to be, Part of the Eſtate ſo Concealed, and ſhall be Applied to the ſame Uſes and Purpoſes, as ſuch Concealed Eſtate is by this Act directed, or intended to be Applied; any Thing herein contained to the Contrary thereof, notwithſtanding.

And be it further Enacted by the Authority aforeſaid, That all and ſingular the Manors, Lands, Tenements, Hereditaments, Rents, Reverſions, Remainders, Uſes, and Truſts, which the ſaid William

Lennox and George French, or either of them, were, upon or since the Third Day of March, in the Year One thousand seven hundred and fifty five, Seized of, or Intitled unto, in Fee Simple, or Fee Tail, or for Life or Lives, either in Law or Equity; And also all Debts, which have not been heretofore really and Bona Fide Paid and Discharged, and were then Due to them, or either of them, or which they, or either of them, were or was Intitled to, as Partners with each other, or otherwise; And likewise all other the Estate, Real and Personal, of which they, the said William Lennox and George French, or either of them, were or was Seized, possessed of, Interested in, or Intitled unto, on the said Third Day of March, One thousand seven hundred and fifty five, or since; except such Sum or Sums of Money as hath or have been really and Bona Fida Applied to the payment of their, or either of their Debts, or Expended in Suits, or other Business relative to the said Estates of the said William Lennox and George French, or in the Costs or Expences of passing this Act, or in the necessary Charges of their Cloathing, Maintenance, and House-keeping; and also, except such part of their, or either of their Personal Estates, as have been Bona Fide and for valuable Considerations Sold, shall be, and are, from the said Third Day of March, in the Year One thousand seven hundred and fifty five, hereby Vested, Adjudged, and Declared to be Vested in the actual Seizing

and

and Poſſeſſion of Henry Hatch, Eſquire, John Sican, Merchant, and Henry Archdall, Merchant, all of the City of Dublin, being Aſſignees hereby Appointed for the Intents and Purpoſes herein mentioned, their Heirs, Executors and Adminiſtrators, in ſuch Manner as is herein after mentioned: (that is to ſay) The Eſtates Tail ſhall be Veſted in them in Fee Simple, and all other the Eſtates, Real and perſonal, ſhall be Veſted in them, for ſuch reſpective Eſtates, Rights, Titles and Intereſts, as they, the ſaid William Lennox and George French, reſpectively, had, or were Intitled unto in the ſame, reſpectively, at the reſpective Times before mentioned. CHAP. XXI.

And be it further Enacted by the Authority aforeſaid, That the ſaid Aſſignees, or any Two of them, ſhall, and are hereby Authorized, to Sell and Diſpoſe of the ſaid Real and perſonal Eſtates, or ſo much thereof, as ſhall be neceſſary for the Purpoſes herein after mentioned, and to Call in, Sue for, Recover, or Compound the ſaid Debts, due to the ſaid William Lennox and George French, or either of them, in Truſt; to Apply the Money ariſing thereby, to the Purpoſes herein after mentioned, and in ſuch Courſe, Order, and Manner as herein after Directed: (that is to ſay)

And be it Enacted for that Purpoſe, by the Authority aforeſaid, That the ſaid Aſ-

signees, or any Two of them, shall, out of the said Estates, so Vested in them, Raise so much Money as will Satisfy the Costs, Charges, and Expences, of Passing this Act; and that all Disbursements attending the Execution thereof, and all the Costs, Expences, and Disbursements paid, laid out, or made by the said Assignees, or any Two of them, in Suing for, Recovering, Receiving, or Defending the said respective Estates, shall be Raised by the said Assignees, or any Two of them, in Manner aforesaid; and that the said Costs, Expences, and Disbursements, shall be in the First Place Paid and Deducted by the said Assignees, or any Two of them, out of the said respective Estates, in Manner aforesaid.

And be it further Enacted by the Authority aforesaid, That the Sum of Six-pence in the Pound, for each and every Pound which shall arise out of, or by Means of the said Sale or Sales of Lands, or any other the Effects of the said William Lennox and George French, or either of them, so Vested in the said Assignees, by Vertue of this Act, over and above the Costs and Charges of Obtaining the same, and over and above all the said other Costs, Expences, and Disbursements attending the Execution of this Act, and the Suing for, Recovering, Receiving or Defending the said Estates, hereby Vested in the said Assignees, shall be paid to such of the said Commissioners

missioners as shall act in the said Trust, by the said Assignees; so as, nevertheless, no One of the said Commissioners shall be paid or Intitled to more than the Sum of One hundred Pounds in the Whole; Any Thing herein contained to the Contrary thereof, in any wise, notwithstanding.

And be it further Enacted by the Authority aforesaid, That the said Assignees, or any Two of them, after such Claims shall be Adjusted and Determined, shall Apply so much of the Money Directed to be Raised, as aforesaid, as shall Remain after the Payment of the said Costs and Charges, and Expences of passing this Act, and all Disbursements attending the Execution of the same, and all the said Costs, Expences, and Disbursements attending the Suing for, Recovering, Receiving, or Defending the said Estates, hereby Vested in the said Assignees, and the said Sums allowed to the said Commissioners for their Care and Trouble, in Manner herein after mentioned; (that is to say) That the said Assignees, or any Two of them, shall, with the Money to be Raised, as aforesaid, out of the said respective separate Estates, Real and Personal, of the said William Lennox and George French, Pay the separate Creditors of the said William Lennox and George French, respectively, according to the Nature and Priority of such separate Debts; And in Case the said respective separate Estates shall not be

sufficient for that purpose, that then the said Assignees, or any Two of them, shall pay the Class of such separate Creditors, wherein such Deficiency shall begin, rateably, and in equal Proportions. And in Case the said separate Estates of the said William Lennox and George French shall be more than sufficient to pay their respective separate Debts, then the said Assignees, or any Two of them, shall apply such Surplus of the Money arising out of the said respective separate Estates, together with the Money to be Raised and Received out of the said respective Bank, or partnership, Estates and Effects, to the payment of the Bank Debts of the said William Lennox and George French, respectively, now remaining Due and Unpaid. And in Case the aforesaid Real and personal Estates, hereby Vested, or intended to be Vested in the said Assignees, shall not be sufficient to pay all the Bank Creditors, then the said Assignees, or any Two of them, shall pay the Class of such Bank Creditors, wherein such Deficiency shall begin, rateably, and in equal Proportions.

And for the more easy and better Calling in, Compounding, or Recovering of all, or any of the said Debts of the said William Lennox and George French; as also, for Obtaining or Recovering of the possession of all or any of the said Lands, Tenements, Hereditaments, and Premisses, by this Act Vested

Vested in the said Assignees, or the Rents and Profits thereof;

Be it further Enacted by the Authority aforesaid, That the said Assignees, or any Two of them, may Call in, Compound, and Receive or Sue for, and Recover, all or any of the said Debts; and also, Take and Receive, or Sue for, and Recover, the Possession of all or any of the said Lands, Tenements, Hereditaments, and Premises, or the Rents and Profits thereof; and that all Suits, either at Law or in Equity, for that Purpose, may be Commenced and Prosecuted in the Name or Names of any Person or Persons to be Nominated for that Purpose, by the said Assignees, or any Two of them; And that all Proceedings in the Name or Names of such Person or Persons, so to be Nominated, by Virtue of this Act, shall be Good and Effectual to all Intents and Purposes, as if such Suits or Proceedings had been carried on in the Names of the said Assignees, or any Two of them: And all and every other Act, Matter, or Thing, which any Two of the said Assignees shall do, for or concerning the Recovery or Receipt of the said Debts, or any of them, or concerning the Getting or Recovering the Possession of all or any of the said Lands, Tenements, Hereditaments, and Premises, or the Rents and Profits thereof, shall be, and are hereby Declared to be, as valid and effectual in the Law, as if such Suit or

Suits was or were in the Names of all the said Assignees, or the Survivors of them; And that no Person or Persons who shall be Sued, either at Law or in Equity, by the said Assignees, or any Two of them, or by any Person or Persons to be Appointed by them, to Sue, as aforesaid, by Virtue of all or any of the Powers given them, by this Act, shall have any Priviledge, as Member or Members of either House of Parliament (save only as to the Persons of such Members); Any Thing herein before contained, or any Law or Usage to the Contrary thereof, in any wise, notwithstanding.

And to the End, that no Suit to be hereafter Commenced, by Virtue of this Act, shall be Delayed by the Death of any Person to be Appointed by the said Assignees, in Manner aforesaid, for the Purpose of carrying on such Suits;

Be it Enacted by the Authority aforesaid, That in Case any Person, in whose Name any Suit shall be hereafter Commenced, either at Law or in Equity, in pursuance of this Act, shall happen to Die, pending such Suit, and before the same shall be finally Determined, then, and in every such Case, and from Time to Time, as often as the Case shall happen, it shall and may be lawful to and for the said Assignees, or any Two of them, to Nominate and Appoint some other Person in the Room of such Person,

Perſon, ſo Dying; which Perſon, ſo to be appointed, ſhall and may Proceed in, and Carry on, ſuch Suit, in the ſame manner, to all Intents and Purpoſes, as the Perſon ſo Dying, had he lived, might have done, by virtue of this Act. CHAP. XXI.

And be it further Enacted by the Authority aforeſaid, That each of them, the ſaid William Lennox and George French, after the ſaid Claims ſhall be Adjuſted and Determined; and after they the ſaid William Lennox and George French, ſhall reſpectively have Obtained from the ſaid Commiſſioners, or any Three or more of them, ſuch Certificate of their Conformity as aforeſaid, ſhall, out of the net Produce of the ſaid Eſtates of the ſaid William Lennox and George French, whether Separate or in Partnerſhip, which the ſaid Aſſignees, ſhall, by Virtue of this Act, Raiſe or Receive as a Fund for the Payment of the Bank and Partnerſhip Debts of the ſaid William Lennox and George French, over and above the ſaid Coſts, Charges, and Expences of Paſſing this Act, and all Diſburſements attending the Execution of the ſame, and over and above the ſaid other Coſts and Expences of Suing for, Recovering, or Defending the ſaid Eſtates of the ſaid William Lennox and George French, hereby Veſted in the ſaid Aſſignees, be allowed the Sum of five Pounds, for each Hundred Pounds of ſuch net Produce, and the ſame ſhall be paid by the ſaid Aſſignees, or any Two of them,

them, unto the said William Lennox and George French, respectively, or to their respective Executors, or Administrators, in Case such net Produce of the Estates of the said William Lennox and George French, after all such Allowances made, shall be sufficient to pay the Bank and Partnership Creditors of the said William Lennox and George French, for the Sums to be Adjudged to them upon their Claims, in Pursuance of this Act, the Sum of Twenty Shillings in the Pound, and so as the said Sum of Five Pounds for each Hundred, shall not exceed, in the whole, the Sum of One thousand Pounds to each of them, the said William Lennox and George French;

And in case the said net Produce of the said Estates of the said William Lennox and George French, shall, over and above the Allowance next hereinafter mentioned, be sufficient to pay the said Bank and Partnership Creditors of the said William Lennox and George French, the Sum of Fifteen Shillings in the Pound, for the Sums to be Adjudged to them, as aforesaid, that then each of them, the said William Lennox and George French, shall be allowed the Sum of Three Pounds six Shillings and eight Pence, for each hundred Pounds out of such net Produce, to be paid as aforesaid, so as such Sum of Three Pounds six Shillings and eight Pence for each Hundred Pounds, shall not in the whole exceed the Sum of Seven hundred

and

and fifty Pounds to each of them the said William Lennox and George French.

And in Case the said net Produce of the said Estates of the said William Lennox and George French, shall, over and above the Allowance next hereinafter mentioned, be sufficient to pay the said Bank and Partnership Creditors of the said William Lennox and George French, the Sum of Ten Shillings in the Pound, for the Sums to be Adjudged to them, as aforesaid, that then, each of them, the said William Lennox and George French, shall be Allowed the Sum of Two Pounds Ten Shillings for each Hundred Pounds out of such net Produce, to be paid as aforesaid, by the said Assignees, or any Two of them, so as such Sum of Two Pounds ten Shillings for each hundred Pounds, shall not exceed, in the whole, the Sum of Five Hundred Pounds to each of them, the said William Lennox and George French.

And be it further Enacted by the Authority aforesaid, That the Sum of six Pence in the Pound, for each and every Pound which shall arise out of, or by Means of the said Sale or Sales of Lands or any other the Effects of the said William Lennox and George French, or either of them, so Vested in the said Assignees, by Virtue of this Act, over and above the Costs and Charges of Obtaining the same, and over above all the

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said other Costs, Expences and Disburse-ments attending the Execution of this Act, and the Suing for, Receiving and Defending the said Estates hereby Vested in the said Assignees, shall be allowed to the said Assignees for their Trouble in the Execution of this Act: So as nevertheless, no one of the said Assignees, shall be Paid, or be Intitled to more than the Sum of fifty Pounds in the Whole; any thing herein Contained to the Contrary thereof, in any wise, notwithstanding.

And be it further Enacted by the Authority aforesaid, That the said Assignees, or any Two of them, by Writing under their respective Hands and Seals, may Nominate and Appoint one or two Person or Persons, to Officiate under them, during their Pleasure, in the Capacity of a Clerk, or Book-Keeper, who shall keep one or more distinct Book or Books of Account, wherein he or they shall duly Enter all Sum and Sums of Money, which the said Assignees, or any of them, shall have got, or received out of the said Effects hereby Vested, or intended to be Vested, in the said Assignees, and all Sum and Sums of Money, which they, the said Assignees, or any Two of them, shall from Time to Time Pay, Lay out, and Expend in Execution of the Trusts hereby Reposed in them; to which Book or Books of Account, every Creditor, who shall upon his or her Claim, obtain an Adjudication

for

for any Sum of Money, out of any of the said Estates hereby Vested in the said Assignees; and the said William Lennox and George French, and their respective Heirs, Executors, and Administrators, shall, at all reasonable Times, have free Resort, and shall Inspect the same, as often as he, she, or they shall think fit; and that the said Clerk or Clerks, Book-Keeper or Book-Keepers, shall have, for his or their Service or Services, such Salary or Salaries Yearly, or according to the Yearly Rate of forty Pounds, and not exceeding in the whole, the Sum of One hundred and twenty Pounds, as the said Assignees, or any Two of them, shall, by Writing under their respective Hands and Seals, Direct and Appoint, and to be paid by the said Assignees, or any Two of them, out of the said Estates hereby Vested in them.

And be it further Enacted by the Authority aforesaid, That the said Assignees shall be Accountable only for what they shall respectively Receive, and not one of them for the Receipt of any other of the said Assignees, or for any Loss that may arise by means of their Depositing in any Known, and Established Bank in the City of Dublin, any of the Money by them Received out of all, or any of the Estates hereby Vested, or intended to be Vested, in the said Assignees.

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And whereas, some of the Debtors of the said Bank may have bought Notes of the said Bank for Sums considerably less than the Sums thereby payable, and have, to serve their Friends, taken Notes of the said Bank, with intent to be allowed the whole of the Sums payable by such Notes out of the Debts due by them to the said Bank; which would greatly Lessen the Fund, for the payment of the Creditors of the said Bank;

Be it Enacted by the Authority aforesaid, That the Debtors of the said Bank shall not have any Credit out of the Debts due by them respectively to the said Bank, but for such of the Notes of the said Bank as they respectively had in their Custody and Possession, and to their own Use, on the third Day of March, One thousand seven hundred and fifty five, and that their having since bought, or got into their Possession, any Notes of the said Bank, shall not in any sort Stop, Prevent, or Delay the payment of the several Debts so Due by them respectively; and that such Debtors shall be Obliged to pay the several Sums Due, and Owing by them, respectively, to the said Bank, without any Regard had to the Notes by them respectively obtained or gotten, since the said Third Day of March, One thousand seven hundred and fifty five; and that the Possession of such Notes shall

Intitle

Intitle them only to be considered as Creditors at large, for the Contents thereof, upon the General Fund for the Payment of the Debts of the said Bank, and to be paid in Proportion only with the other Creditors of the said Bank.

And whereas several of the Creditors of the said William Lennox and George French, have, since the said Third Day of March, One thousand seven hundred and fifty five, Received Part of the Debts then Due to them respectively;

Be it Enacted by the Authority aforesaid, That all the Creditors of the said William Lennox and George French, as well such as became Creditors since the Third Day of March, One thousand seven hundred and fifty five, as those who were Creditors before the said Third Day of March, shall be paid, by the said Assignees, so much as shall make the Payments to be made to them, respectively, equal to the Payments which have been made to any of the Creditors, who have, since the said Third Day of March, Received any Part of the Money that was Due to them upon the said Day, before such Creditors, so paid in part since the said Third Day of March, shall Receive any more.

And whereas several of the Debts due to the said Bank, at the Time of the Stop-

page of Payment, by the said William Lennox and George French, on the said Third Day of March, One thousand seven hundred and fifty five, may, by the Elapse of Time since, have been barred by the Statutes of Limitation made in this Kingdom, for the Barring of Suits or Demands, or some or one of them;

And whereas the Execution of this Act may take longer Time than at present is foreseen, and that the Commencing of Suits to prevent the Statutes of Limitation from Barring the Recovery of Debts due to the said Bank and Bankers, respectively, may be attended with great Expence;

Be it Enacted by the Authority aforesaid, That the said Assignees, or any Two of them, or any Person or Persons Appointed, or to be Appointed by any Two of them, for that Purpose, shall and may, at all Times, while the said Debts, or any of them, remain Vested in the said Assignees, by this Act, be at Liberty to Sue for, and Recover the Debts so Due, pursuant to the Directions, and according to the Powers hereby given; and shall and may, notwithstanding any Statute or Statutes of Limitations heretofore made, or any Law, Statute, or Usage to the Contrary, Sue for, and Recover the said Debts so Due, and every of them; and that no Statute or Statutes of Limitation shall be Pleaded or Relied

Relied on, or any Way made Use of, or be of any Force or Effect in any Court of Law or Equity, to Barr, or in any Sort Affect the said Debts, or any of them, while the same, or any of them, Remain in the said Assignees, or any of them, by Virtue of this Act.

And be it Enacted by the Authority aforesaid, That no part of the Time, during which the said Debts, or any of them, shall Remain Vested in the said Assignees, or any of them, by Virtue of this Act, shall be esteemed or accounted any part of the Time within which the Person or Persons, respectively, who is, or are, or shall be, Intitled to the said Debts, or any of them, after the full Execution of this Act, ought, by any Statute or Statutes of Limitation whatsoever, to bring his or their Action or Actions, Suit or Suits, for Recovery of any such Debt or Debts, as aforesaid; but that such Person or Persons, respectively, shall have Allowance of all such Time as hath hitherto, since the Third Day of March, One thousand seven hundred and fifty five, and shall hereafter, Incur, while the said Debts, or any of them, remain Vested in the said Assignees, by Virtue of this Act, and shall, and may, at any Time within Two Years after the full Execution of this Act, be at Liberty to bring his, her, or their Action or Actions, Suit or Suits, for Recovery of all or any of the said Debts so Due and Vested

in the said Assignees, by this Act, the Statutes of Limitations, of Actions, or any Law, Statute, or Usage to the Contrary, notwithstanding.

Provided allways, And be it Enacted by the Authority aforesaid, That nothing in this Act contained, shall be Extended, or be Construed to Extend, to Barr, Hinder, or Prevent any Person whatsoever, from having such Benefit and Advantage of and from the Statutes of Limitations, or any of them, as such Person had or might have had, on the said Third Day of March, One thousand seven hundred and fifty five, as to the Debts Due to the said Bank and Bankers, respectively, in as ample and beneficial Manner, as if this Act had never been made.

And be it further Enacted by the Authority aforesaid, That if there shall be any Overplus of the Money arising by the Sale or Produce of the several Real and Personal Estates, Vested in the said Assignees, as aforesaid, after the Performance of all the Trusts of this Act, such Overplus shall Go, and Belong, and be Applied, to and for the Use and Benefit of such Person or Persons, as would have been Intitled to the same, if this Act had never been made.

And whereas it may be expedient for the more speedy and easy Execution of this

Act,

Act, and for the Eaſe and Quiet of the ſaid Aſſignees, that the ſaid Aſſignees, ſhould from Time to Time Account before the ſaid Commiſſioners, for the Sums by them Received, under and by Virtue of this Act, out of the Eſtates of the ſaid William Lennox and George French, reſpectively; and alſo, have allowance for the Sums by them from Time to Time Diſburſed and Paid, purſuant to the Direction of this Act; CHAP. XXI.

Be it Enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Three or more of them, may, from Time to Time, Order and Direct the ſaid Aſſignees to Account; and that the ſaid Aſſignees, or any Two of them, ſhall, within thirty Days next after the Service of ſuch Order, Return in Writing to the ſaid Commiſſioners, or any Three or more of them, or to the ſaid Regiſter or Regiſters, a fair and juſt Account of all the Sums Received by them, or any of them, out of the ſaid Eſtates, hereby Veſted in the ſaid Aſſignees, and of the Payments and Diſburſements, by them, or any Two of them, made, in Purſuance of this Act; and that the ſaid Commiſſioners, or any Three or more of them, do and ſhall, immediately after ſuch Account ſhall be ſo Returned, give Notice by Advertiſement, to be Publiſhed four Times ſucceſſively at leaſt, in the Dublin Gazette, of ſuch Accounts having been Returned, and of the Time when the

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said Commissioners, or any Three or more of them, intend first to go upon the Examination of the said Accounts; and that such Notice shall be first published, as aforesaid, fourteen Days, at the least, before the Day appointed for first Entering upon the Examination of the said Accounts; and that it may and shall be Lawful to and for the said Assignees, or any Two of them, as often as they, or any Two of them, shall think fit, to make up and Deliver to the said Commissioners, or any Three or more of them, or their said Register or Registers, a just and fair Account of all the Sums by the said Assignees, or any of them, received out of the Estates, hereby Vested in them, and of the Payments and Disbursements, by them, or any Two of them, made, in pursuance of this Act; and that the said Assignees, or any Two of them, do, and shall immediately after such Accounts shall be Returned, as aforesaid, give Notice by Advertisement, to be published in the Dublin Gazette, four Times successively at least, of such Accounts having been Returned, and of their Intention to have the same Examined and Settled by the said Commissioners, or any Three or more of them; and that the said Commissioners, or any Three or more of them, do and shall, at the Request of the said Assignees, or any Two of them, at any Time within thirty Days, and not less than fourteen Days after the publishing of such Advertisement, as aforesaid, by the said Assignees,

ſignees, or any Two of them, appoint a Time for the firſt Entering upon the Examination of the ſaid Accounts, and do and ſhall, ten Days at leaſt before the Time ſo appointed, give Notice by Advertiſement to be publiſhed in the Dublin Gazette, of the Time appointed by them for their firſt Entering upon the Examination of the ſaid Accounts, and that ſuch Advertiſement ſhall be publiſhed, three Times ſucceſſively in ſuch News Paper, within ſaid Months the ſaid Commiſſioners, or any Two or more of them, are hereby impowered to Receive, and to Examine and Determine in a Summary Way, within three Kalendar Months after the Time appointed by them, or any Two or more of them, for their firſt Entering upon the Examination of the ſaid Accounts; and that the ſaid Commiſſioners, or any Three or more of them, do, and ſhall, in Stating and Settling the ſaid Accounts give Credit to the ſaid Aſſignees for all Sums by them, or any Two of them, paid or Diſburſed in purſuance of this Act; and that the ſaid Commiſſioners, or any Three or more of them, ſhall and may Examine upon Oath, or being of the People called Quakers, upon Solemn Affirmation, all and every ſuch Witneſs and Witneſſes, as ſhall be Produced before them touching the ſaid Accounts returned by the ſaid Aſſignees, or any Two of them, and at the Requeſt of any of the Parties Concerned, may, by Writing under the Hands of the ſaid Commiſſioners,

missioners, or any Three or more of them, order any Witness or Witnesses to Appear and give their Testimony before them, and shall and may likewise Examine upon Oath, or being of the People called Quakers, upon Solemn Affirmation, all and every the said Assignees concerning the Truth of the said Accounts, or any other Matter relating thereunto; and that the said Commissioners, or any Three or more of them, shall and may take any Affidavits, and Administer Oaths to that Purpose, touching and concerning the Service of their Order, Notices and Summonses.

Provided allways, And be it further Enacted by the Authority aforesaid, That if the said Assignees, or any of them, or the said William Lennox and George French, or either of them, or the Heirs, Executors, or Administrators or either of them, or any other Person or Persons, shall think him, her, or themselves Aggrieved by any Judgment or Determination of the said Commissioners, or any Three or more of them, concerning the said Accounts, returned by the said Assignees, or any Two of them, as aforesaid, it shall and may be Lawful to and for such Person or Persons, by Petition to the Lord Chancellor, Lord Keeper, or Commissioners for hearing Causes in the High Court of Chancery, in this Kingdom, for the Time being, at any Time within the Space of Thirty Days after such

Judgment

Judgment or Determination pronounced, to appeal from such Judgment or Determination, which said Lord Chancellor, Lord Keeper, or Commissioners for hearing Causes in the said Court of Chancery, shall Examine, Hear and Determine the same in a summary Way, within three Kalendar Months after the preferring such Petition of Appeal; and shall and may, in case such Appeal shall appear to be Frivolous or Vexatious, Order and Decree such Costs as in his or their Discretion shall seem reasonable, to the Person or Persons aggrieved by such Frivolous or Vexatious Appeal; and the Judgment or Decree of the said Lord Chancellor, Lord Keeper or Commissioners for hearing Causes in the High Court of Chancery, as aforesaid; as also, the Judgment or Determination of the said Commissioners appointed by this Act, or any Three or more of them, if not reserved by the said Lord Chancellor, Lord Keeper, or Commissioners for hearing Causes in the said Court of Chancery, shall be Final and Conclusive to all Persons Concerned; and where such Costs shall be Ordered or Decreed, such and the like Process shall Issue for the Recovery thereof, against the Person or Persons against whom such Costs shall be Ordered or Decreed, as Issue for Recovery of Costs under Decrees made in the said High Court of Chancery.

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5 And

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And be it further Enacted by the Authority aforesaid, That the said William Lennox and George French, and each of them, and the Heirs, Executors and Administrators of each of them, and every Creditor who shall upon his or her Claim, Obtain an Adjudication for any Sum of Money, out of any of the said Estates hereby Vested in the said Assignees, shall, at all seasonable Times, have free recort to the said Accounts, so returned to the said Commissioners, or any Three or more of them, or to their said Register or Registers, by the said Assignees, or any Two of them, and shall Inspect the same, as often as he, she, or they shall think fit, and may at their own Expence take Copies thereof.

And be it further Enacted by the Authority aforesaid, That after the said Claims of the said Creditors, shall be finally Settled and Adjusted, the said Commissioners, or any Three or more of them, may, from Time to Time, by Writing under their respective Hands, Order and Direct the said Assignees, or any Two of them, to make a rateable Distribution of the Money by them Raised, and Received out of the said respective Estates, of the said William Lennox and George French, amongst the said Creditors, in proportion to the Sums adjudged to them respectively, according to the Direction herein mentioned; and that the said

said Assignees, or any Two of them, do, and shall, with all convenient Speed, after such Order shall be Served upon them, Distribute, according to the Direction aforesaid, the Money Raised and Received by the said Assignees, or any Two of them, by Virtue of this Act, out of the said Estates of the said William Lennox and George French, which, at the Time of such Order made, shall be in their Hands, or except so much thereof, as in pursuance of the Powers or Directions herein before given and expressed, shall be necessary for carrying into Execution the Trusts hereby Reposed in the said Assignees.

And be it further Enacted by the Authority aforesaid, That no Outlawry, already or hereafter to be had or obtained in any personal Action against the said William Lennox and George French, or either of them, shall, in any Sort Stop, Hinder, or Delay the Recovery of any Debt or Debts hereby Vested, or intended to be hereby Vested, in the said Assignees; and that no Outlawry, obtained in any personal Action against the said William Lennox and George French, or either of them, since the said Third Day of March, in the Year One thousand seven hundred and fifty five, or any Thing done in Consequence thereof, shall, in any Sort, Prejudice or Affect the Estate or Estates of the said William Lennox and George French, or either of them, hereby Vested, or intended

to be Vested in the said Assignees, nor shall such Outlawries, or any Process thereupon, or any Thing in Consequence thereof, in any Sort, affect the Persons of the said William Lennox and George French, or either of them.

And be it Enacted by the Authority aforesaid, That in Case any of the said Commissioners or Assignees Named in this Act, or who shall be hereafter Appointed, in Manner herein after mentioned, shall Refuse to Act in the Execution of the said Trusts, or shall happen to Die, or leave this Kingdom before the said Trusts shall be fully Executed, then, and in every of those Cases, and from Time to Time, as often as the same shall happen, it shall and may be lawful to and for the then Acting Commissioners, under this Act, or any Three or more of them, to Nominate and Appoint, in the Room and Stead of such Commissioners or Assignees, who shall so happen to Die, or shall Refuse to Act, or shall leave this Kingdom, such other Person as they shall think fit; which Person, so to be Appointed Commissioner or Assignee, as the Case shall be, shall, upon such his Appointment, be Vested with all such Interests, Trusts, Powers, and Authorities, as are hereby given to, and respectively Vested in, the said Commissioners and Assignees named in this Act, in as full a Manner, to all Intents and Purposes, as if such Person so to be Nominated and

Appointed,

Appointed, had been expreſsly Named a Commiſſioner or Aſſignee, in and by this Act, for the carrying the Truſts thereof into Execution, and not otherwiſe. CHAP. XXI.

Saving unto Bartholomew Burton, of the City of London, Merchant, all ſuch Right, Title and Intereſt, as he now hath, or can, or may lawfully Claim to have, to a Bond perfected to the ſaid William Lennox, by Richard Jackſon, of the City of Dublin, Eſquire, and Hugh Boyd, of Ballycaſtle, in the County of Antrim, Eſquire, bearing Date the Fifteenth Day of May, in the Year One thouſand ſeven hundred and fifty, for the penal Sum of Ten Thouſand Pounds, Sterling, conditioned for the Payment of Five thouſand Pounds, Sterling, and a Judgment obtained thereon, by the ſaid William Lennox, in His Majeſty's Court of King's-Bench, as of Trinity Term, in the Year One thouſand ſeven hundred and fifty, againſt the ſaid Richard Jackſon; as alſo, to a Mortgage made by the ſaid Richard Jackſon to the ſaid William Lennox, of the Manor of Stone-Bridge, otherwiſe Fork-Hill, and other Lands in the County of Armagh, by Deeds of Leaſe and Releaſe, bearing Date, reſpectively, the Tenth and Eleventh Days of September, in the Year One thouſand ſeven hundred and fifty, by Virtue of an Aſſignment made thereof, on the Eleventh Day of July, in the Year One thouſand ſeven hundred and fifty five, by the ſaid William Lennox to the ſaid Bartholomew Burton, in the ſame

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Manner, and no other, as the said Bartholomew Burton might have had, if this Act had never been made; any Thing herein contained to the Contrary, in any wise, notwithstanding.

Saving also to the King's Most Excellent Majesty, and to all Bodies politick and Corporate, and to all and every Person and Persons, except the said William Lennox and George French, and all Persons deriving under them, or either of them; and also, except the Creditors of the said William Lennox and George French, or any or either of them, their, or any of their Heirs, Executors, Administrators, and Assigns, all such Right, Title and Interest, both in Law and Equity, as they, or any of them, might have had, in Case this Act had never been made.

And be it Enacted by the Authority aforesaid, That this Act, and all and every Clause and Clauses therein contained, and every part thereof, shall be deemed and taken Notice of in all Courts of Law or Equity in this Kingdom, as a publick Act of Parliament.

AN

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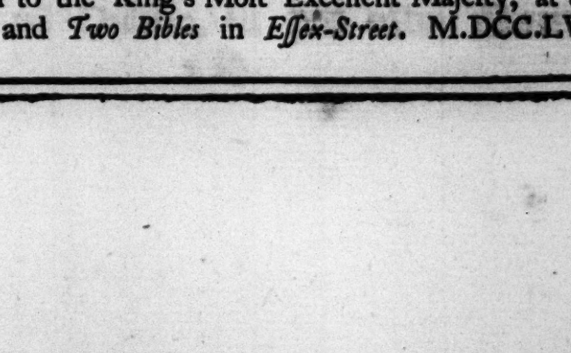
AN ACT FOR

The Relief of the Creditors of the Bank lately kept by *John Willcocks* and *John Dawſon*, and of the Creditors of the Bank lately kept by *Joſeph Fade* and *John Willcoks*, and of the Creditors of the Bank lately kept by *Joſeph Fade*, *Iſachar Willcocks* and *John Willcocks*, and of the Creditors of the Bank lately kept by *Joſeph Fade*; And for raiſing out of the Eſtates Real and Perſonal of *Richard Brewer*, late the Caſh-Keeper of the ſaid *John Willcocks* and *John Dawſon*, the Sum Due by the ſaid *Richard Brewer* to the ſaid *John Willcocks* and *John Dawſon*.



DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's Arms* and *Two Bibles* in *Eſſex-Street*. M.DCC.LVI.

AN ACT

FOR

The Relief of the Creditors of the Bank lately kept by John Allen and John Darley, and for the Creditors of the Bank lately kept by Ralph Ford and John Allen, and of the Creditors of the Bank lately kept by Ralph Ford, Arthur Allen and John Allen, and of the Creditors of the Bank lately kept by Ralph Ford; And for vesting one of the Estates Real and Personal of Robert Brewer, late the Cash-Keeper of the said John Allen and John Darley, the Sum Due by the said Richard Brewer to the said John Allen and John Darley.

DUBLIN:

Printed by the Executor of George Grierson, Printer to the King's Most Excellent Majesty, at the King's Arms and Two Bibles in Essex-Street. M.DCC.LVI.

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AN

ACT

FOR

The Relief of the Creditors of the Bank lately kept by *John Willcocks* and *John Dawſon*, and of the Creditors of the Bank lately kept by *Joſeph Fade* and *John Willcocks*, and of the Creditors of the Bank lately kept by *Joſeph Fade*, *Iſachar Willcocks* and *John Willcocks*, and of the Creditors of the Bank lately kept by *Joſeph Fade*; And for raiſing out of the Eſtates Real and Perſonal of *Richard Brewer*, late the Caſh-Keeper of the ſaid *John Willcocks* and *John Dawſon*, the Sum Due by the ſaid *Richard Brewer* to the ſaid *John Willcocks* and *John Dawſon*.

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WHEREAS Joſeph Fade, late of the City of Dublin, Banker, Deceaſed, did for ſeveral Years carry on the Trade or Buſineſs of a Banker, in the City of Dublin, in his own Name, and

; He did

did, in the Year One thouſand ſeven hundred and twenty eight, take into Partnerſhip Iſachar Willcocks, ſince Deceaſed, and John Willcocks of the City of Dublin, Merchant, and they, the ſaid Joſeph Fade, Iſachar Willcocks and John Willcocks, carried on the Buſineſs of Bankers in Partnerſhip, until the Deceaſe of the ſaid Iſachar Willcocks, which happened on or about the Seventeenth Day of April, in the Year One thouſand ſeven hundred and forty four.

And whereas, the ſaid Iſachar Willcocks, on or about the Twelfth Day of July, in the Year One thouſand ſeven hundred and thirty nine, made his laſt Will in Writing, and thereby Bequeathed ſeveral Legacies to ſeveral Perſons, which have been ſince paid; and Appointed John Willcocks ſole Executor; and the ſaid John Willcocks Proved the ſaid Will.

And whereas, the ſaid Joſeph Fade and John Willcocks, from the Deceaſe of the ſaid Iſachar Willcocks, Carried on the Buſineſs of Bankers, in Partnerſhip, until the Deceaſe of the ſaid Joſeph Fade, which happened on or about the Eighth Day of May, in the Year, One thouſand ſeven hundred and forty eight; and the ſaid Joſeph Fade, on or about the Thirteenth Day of February, in the Year One thouſand ſeven hundred and forty ſeven, made his laſt Will in Writing, and Subject to ſome Legacies and Bequeſts,

Bequeſts, Deviſed all his Eſtates, Real and perſonal, unto John Dawſon, of the City of Dublin late Banker, and appointed the ſaid John Dawſon, his ſole Executor, who duly proved the ſame, and paid the Legacies, and Complied with the ſaid Will in all Reſpects. CHAP. XXII.

And whereas, the Bank Effects of the ſaid Joſeph Fade, and the Effects of the ſaid ſeveral Partnerſhips in which the ſaid Joſeph Fade was Engaged, were, at the Deceaſe of the ſaid Joſeph Fade, more than ſufficient to Satisfy the reſpective Debts of the ſaid Bank kept by the ſaid Joſeph Fade, and of the ſaid Partnerſhips in which the ſaid Joſeph Fade was Engaged; and the ſaid Joſeph Fade Died Seized and poſſeſſed of a ſeparate Real and perſonal Eſtate, more than ſufficient to pay his ſeparate Debts and Legacies.

And whereas the ſaid John Willcocks, ſoon after the Death of the ſaid Joſeph Fade, took the ſaid John Dawſon into Partnerſhip, and they, as Partners, Carried on the Buſineſs of Bankers, until the third Day of March, in the Year One thouſand ſeven hundred and fifty five inclusive.

And whereas, very large and conſiderable Sums of Money were from Time to Time Depoſited in the ſaid Banks, and Richard Brewer of the City of Dublin, who had

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been, from the Year One thousand seven hundred and thirty six, until about the Thirteenth Day of March, One thousand seven hundred and forty six, Employed as Clerk in the said Partnerships at small Yearly Salaries; Was, on or about the Thirteenth Day of March, One thousand seven hundred and forty six, and from thence to the Death of the said Joseph Fade, Employed, by the said Joseph Fade and John Willcocks, as their Cash-Keeper, at the Yearly Salary of Eighty pounds, and Was Continued in the said Employment of Cash-Keeper, by the said John Willcocks and John Dawson, until the first Day of March, One thousand seven hundred and fifty five, inclusive; and the Salary of the said Richard Brewer, for the Year One thousand seven hundred and forty nine, was Eighty pounds, and from thence, One hundred pounds Yearly.

And whereas the said Richard Brewer, for some Time after his becoming Cash-Keeper to the said Bankers, as aforesaid, behaved in such a Manner as to deserve the Confidence of the said Bankers; But the said Richard Brewer, after the Decease of the said Joseph Fade, did, in the most flagrant Manner Abuse the Confidence that was reposed in him by the said John Willcocks and John Dawson, having, without the Consent or Knowledge of the said John Willcocks or John Dawson, from Time to Time, before the

the first of March, in the Year One thousand seven hundred and fifty five, taken out of the Cash of the said John Willcocks and John Dawson, which they had committed to his Care, divers large Sums of Money; which Sums, so by him taken, the said Richard Brewer Employed in Trade, and otherwise Disposed of;

And whereas the said Richard Brewer did not Restore or Re-place the Sums which he so took out of the said Cash of the said John Willcocks and John Dawson:

And whereas the said John Willcocks and John Dawson, by the Means of the said Richard Brewer having Taken the aforesaid Sums out of the Cash which had been Committed to his Care, as aforesaid, Failed in their Credit, and Stopped payment on the Third Day of March, in the Year One thousand seven hundred and fifty five, greatly Indebted to several persons:

And whereas the said Richard Brewer endeavoured, as long as he could, to Conceal from the said John Willcocks and John Dawson, the Ballance he really Owed to them, by keeping great Bundles of Satisfied Notes by him, from Time to Time, without making Entries of them, in the Books of the said Bankers; and the said Richard Brewer, when he was no longer able to Conceal the Ballance he Owed to the said

John Willcocks and John Dawson, before the Twelfth of February, in the Year One thousand seven hundred and fifty five, formed a Scheme to quit the Service of the said John Willcocks and John Dawson, and to Conceal and Secret his Estate and Effects, and to Fly from Justice: But the said Richard Brewer's Flight was prevented by an Arrest, by a Writ at the Suit of the said John Willcocks and John Dawson, on or about the Fifth Day of March, One thousand seven hundred and fifty five, marked for a very large Sum;

And whereas there is great Reason to apprehend, that the said Richard Brewer, since the Twelfth Day of February, in the Year One thousand seven hundred and fifty five, hath done all in his Power to Conceal and to Secret his Effects; and, for that Purpose, the said Richard Brewer hath, in the most private Manner, put a great Part of them into the Hands of divers Persons, who were privy to the Frauds and Breaches of Trust which the said Richard Brewer had been Guilty of, as aforesaid; and for those Purposes hath, since the said Twelfth Day of February, in the Year One thousand seven hundred and fifty five, Signed Receipts and Acknowledgements for divers considerable Sums of Money, that were not really paid to him;

And

And whereas the Estate and Effects of the said John Willcocks and John Dawson, will fall short of the Debts Due and Owing by them, unless the Cash and Effects, so taken away by the said Richard Brewer, can be come at, and re-placed, or brought back to the Fund out of which the said Richard Brewer took the said Cash and Effects, as aforesaid, and there is not any Remedy at Law or in Equity, adequate to the full Discovery of, and coming at, the Effects of the said Richard Brewer, so as to make compleat Satisfaction for the said Debts due by the said Richard Brewer, to the said John Willcocks and John Dawson:

And whereas the Creditors of the said several Banks are many in Number, and it will be very difficult and expensive, if not impossible, for them to obtain proper Relief, according to the ordinary Course of Proceedings in the Courts of Law or Equity, and the Credit of this Kingdom may be greatly affected, if a speedy Remedy be not Provided;

Wherefore for preventing Multiplicity of Suits, and for the more Speedy and Effectual Relief of the said Creditors, and for the Providing a Fund for the Payments of the Debts due to them, and in order thereto, that the Estates, Real and Personal, of the said Joseph Fade, John Willcocks, John Dawson,

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and Richard Brewer, may be Applied in Satisfaction of their Debts, in such Manner as is herein after mentioned:

At the humble Petition of Your Majesty's Subjects, Simon Bradstreet, Esquire, Robert Clibborn, Merchant, Hans Bailie, Alderman, Theobald Wolfe, Esquire, James Dun, Alderman, Joshua Paul, Esquire, Robert Sibthorp, Esquire, and John Brady, Merchant, in behalf of themselves, and several other Persons, Creditors of the said several Bankers, and of the said John Willcocks and John Dawson, on behalf of themselves and their Creditors;

Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That Michael Chamberlain, Joseph Green, Thomas Read, and Mathew Weld, Esquires, Charles Howison, Robert Montgomery, and Ellis Price, Merchants, or any Three or more of them, or of the Survivors of them, be, and are hereby Appointed Commissioners, to hear and Determine the several Claims, and to Settle and Adjust the several Accounts relating thereto, or Concerning the same, and to make such other Orders, Adjudications, and Determinations, as they are herein after Authorized and Impowered to make, Concerning the Estates

ſtates Veſted in the Aſſignees herein after appointed.

And be it further Enacted by the Authority aforeſaid, That all and every perſon and perſons, whatſoever, who have, or Claim to have, any Demand upon, or out of all, or any of the Real and perſonal Eſtates, either Separate or in Partnerſhip, Veſted in the ſaid Aſſignees, as hereinafter mentioned, by Mortgage, Judgment, Statute Staple, or Merchant Recognizance, Bond, or other Speciality, or by Notes or Bills of Exchange, or other ſimple Contracts, or any other Ways, as Creditors for Money, really and Bona Fide Lent, ſhall and may, on or before the Firſt Day of of December, in the Year of our Lord One thouſand ſeven hundred and fifty ſix, Enter and Exhibit his, her and their Claim and Claims, before the ſaid Commiſſioners, or any Three or more of them, ſetting forth their ſeveral and reſpective Demands and the Nature thereof, and how much he, ſhe, or they, Claim or Claims, to be Due to them reſpectively; And that the ſaid John Willcocks and John Dawſon, or the Survivor of them, or the Executors or Adminiſtrators of ſuch Survivor, on behalf of themſelves, and the Creditors of the ſaid John Willcocks and John Dawſon, ſhall and may, notwithſtanding the Veſting the Effects of the ſaid John Willcocks and John Dawſon, in the Aſſignees herein after Appointed, or any thing in this Act Contained to the

Contrary, on or before the said First Day of December, in the Year of our Lord One thousand seven hundred and fifty six, before the said Commissioners, or any Three or more of them, Exhibit a Claim against the said Richard Brewer, for the Sums Due to the said John Willcocks and John Dawson, by the said Richard Brewer, in such manner as the other Creditors of the said Richard Brewer can or may by this Act Exhibit their Claims; and that the Sums adjuged and Determined to be Due by the said Richard Brewer, to the said John Willcocks and John Dawson, shall be considered as part of the Partnership Effects of the said John Willcocks and John Dawson, and applied by the Assignees to the purposes which such Partnership Effects are herein after Directed to be Applied; to which Claims they, the said Commissioners, or any Three or more of them, are hereby Impowered to Receive, and to Examine and Determine the same, in a Summary Way, before the First Day of January, One thousand seven hundred and fifty eight; except such of them as shall be Agreed or Compounded by and between the said Claimants and the said Assignees, or any Three or more of them.

And for the better executing of the said Trust in the Commissioners reposed;

Be it further Enacted by the Authority aforesaid, That the said Commissioners, or any Three or more of them, shall and may

may Examine upon Oath, or being of the the People called Quakers, upon Solemn Affirmation, all and every such Witness and Witnesses, as shall be Produced before them, for, or against any such Claimant or Claimants; and at the Request of any of the Parties Concerned, may by Writing under the Hands of the said Commissioners, or any Three or more of them, Order any Witness or Witnesses to appear and give their Testimony before them; and may likewise examine all and every such Claimant or Claimants, upon Oath, or being of the People called Quakers, upon Solemn Affirmation, Concerning the Truth of the Matter contained in their said respective Claims, or any other Matter relating thereunto; which said Oath or Oaths, Affirmation or Affirmations, they the said Commissioners, or any Three or more of them, are hereby Impowered to Administer, as well to the said Witness or Witnesses, as to the said Claimant or Claimants; and that the said Commissioners, or any Three or more of them, shall and may take any Affidavits and Administer Oaths to that Purpose, touching and concerning the Service of their Orders, Notices and Summonses, and shall and may State and Settle Accounts with the said several Creditors, or any of them, touching or concerning his, her, or their Claim or Claims, and Demands, and the several Sums which shall then have been by them, or any of them,

them, had or received, for or on Account of the said Debts respectively, and thereupon Adjudge and Determine how much is then really Due and Owing to such Creditor or Creditors, so Claiming, as aforesaid.

Provided allways, And be it further Enacted by the Authority aforesaid That if the said Claimant or Claimants, or any of them, or any other Person or Persons, shall think him, her, or themselves aggrieved by any Judgment, or Determination of the said Commissioners, or any Three or more of them, of, or concerning any Debt, or the Quantum thereof, or the Stating or Settleing the Account thereof, or any other Judical Determination of the said Commissioners, it shall and may be Lawful to and for such Person or Persons, by Petition to the Lord Chancellor, Lord Keeper, or Commissioners for hearing Causes, in the High Court of Chancery, in this Kingdom, for the Time being, at any Time within the Space of Thirty one Days after such Judgment or Determination Pronounced, to Appeal from such Judgment or Determination; which said Lord Chancellor, Lord Keeper, or Commissioners, shall Examine, Hear, and Determine the same, in a Summary Way, before the First Day of January, One thousand seven hundred and fifty nine; and shall and may, in case such Appeal shall appear to be Frivolous or Vexatious, Order and Decree such Costs, as in his or their

Discretion

Diſcretion ſhall ſeem Reaſonable, to the Perſon or Perſons Aggrieved by ſuch Frivolous or Vexations Appeal, and the Judgment or Decree of ſuch Lord Chancellor or Lord Keeper, or Commiſſioners, as aforeſaid; and alſo, the Judgment and Determination of the ſaid Commiſſioners, or any Three or more of them, if not Reverſed by the ſaid Lord Chancellor, Lord Keeper, or Commiſſioners, ſhall be Final and Concluſive to all Perſons Concerned.

And be it further Enacted by the Authority aforeſaid, That where Coſts ſhall be Ordered and Decreed, as aforeſaid, ſuch and the like Proceſs ſhall Iſſue for the Recovery thereof, againſt the Perſon or Perſons, againſt whom ſuch Coſts ſhall be Ordered or Decreed, as Iſſue, for the Recovery of Coſts, under Decrees made in the High Court of Chancery; and that where ſuch Coſts ſhall be Awarded or Decreed to the ſaid John Willcocks, John Dawſon, and Richard Brewer, or any, or either of them, or to any other Perſon or Perſons on account of the Eſtates of them, or any, or either of them, hereby Veſted in the ſaid Aſſignees, ſuch Coſts, when Recovered, ſhall be Deemed and Conſidered as Part of the Effects of the ſaid John Willcocks, John Dawſon and Richard Brewer, reſpectively, and be applied to the Purpoſes herein after Directed, concerning their reſpective Eſtates.

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And be it further Enacted by the Authority aforesaid, That all and every the Creditor and Creditors aforesaid, who shall not, on or before the First Day of December, which shall be in the Year of our Lord One thousand seven hundred and fifty six, Exhibit his, her, or their Claim or Claims, before the said Commissioners, and whose Claim or Claims shall not be Determined by the said Commissioners, or any Three or more of them, before the said First Day of January, One thousand seven hundred and fifty eight, or in case of an Appeal to the said Lord Chancellor, or Lord Keeper, or Commissioners for hearing Causes, in the said High Court of Chancery, in this Kingdom, before the said First Day of January, One thousand seven hundred and fifty nine, shall be, and are hereby Declared and Adjudged to be, utterly barred of any Remedy for Recovery of his, her, or their Demand or Demands, either at Law or in Equity, out of, or upon all, or any of the Estates or Effects, hereby Vested in the said Assignees.

Provided allways, And be it Enacted by the Authority aforesaid, That it shall and may be Lawful to and for any Person or Persons residing or being out of this Kingdom, to make their Claim or Claims pursuant to this Act, at any Time or Times on or before the First Day of May, One thouland

thouſand ſeven hundred and fifty ſeven; and that all Claims for Infants, purſuant to this Act, ſhall and may be made by their Fathers or Guardians, or any other Perſon or Perſons in their Behalf; and all ſuch Claims of Femes Covert, ſhall be made by their Huſbands; and all ſuch Claims of Madmen, Lunaticks, or Ideots, by ſuch Perſon or Perſons under whoſe Care or Cuſtody they are, or ſhall be, at the Time of exhibiting ſuch Claims.

And be it Enacted by the Authority aforeſaid, That due Notice ſhall be given of the Time limitted by this Act, for the Exhibiting ſuch Claims and Appeals, by the ſaid Commiſſioners, or any Three or more of them, before the Twentieth Day of July, One thouſand ſeven hundred and fifty ſix, by Poſting Advertiſements in the Tholſel and in the Four-Courts in Dublin, and cauſing the ſame to be Publiſhed in the Dublin Gazette, from Time to Time, for Three Weeks before the ſaid Twentieth Day of July, One thouſand ſeven hundred and fifty ſix.

And in regard the ſaid Aſſignees may not have any of the Title Deeds of all or any of the Lands, Tenements, Hereditaments, and Premiſſes by this Act Veſted in the ſaid Aſſignees, nor the Counterparts of all or any of the Leaſes, Contracts, or Agreements, by which the ſame, or any of them, is or are held and enjoyed, and as it

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may be neceſſary for taking the ſaid Accounts, and Adjuſting and Determining the ſaid Claims herein before Directed, that all the Books, Papers, and Writings, relating to the ſaid Accounts and Claims, ſhould be Produced before the ſaid Commiſſioners; And in Caſe of any Appeal before the ſaid Lord Chancellor, Lord Keeper, or Commiſſioners, aforeſaid, for the Time being;

Be it further Enacted by the Authority aforeſaid, That all and every ſuch Perſon or Perſons, as has or have any Leaſe or Leaſes, or any Agreement for any Leaſe or Leaſes, of all, or any Part of the ſaid Lands, Tenements, Hereditaments, and Premiſſes, by this Act Veſted in the ſaid Aſſignees, made by the ſaid Joſeph Fade, John Willcocks and John Dawſon, reſpectively, or any Perſon or Perſons under whom they reſpectively derive, at any Time before the ſaid Third Day of March, One thouſand ſeven hundred and fifty five; And by the ſaid Richard Brewer, or any Perſon or Perſons, under whom he derives, at any Time before the ſaid Twelfth Day of February, One thouſand ſeven hundred and fifty five, ſhall, within Six Months next after Publick Notice ſhall, for that Purpoſe, be poſted up at the Tholſel and Four-Courts of Dublin, and Publiſhed in the Dublin Gazette, bring in, and Depoſite with ſuch Commiſſioners, or any Three or more of them, as by ſuch Notice ſhall,

ſhall, for that Purpoſe, be Nominated and Appointed, their ſaid ſeveral Leaſes and Agreements, and prove the ſame, and the Time or Times of the Perfection thereof; And that the ſaid Commiſſioners, or any Three or more of them, after the ſaid Leaſes and Agreements ſhall be proved, ſhall and may cauſe true Copies of all and every ſuch Leaſe and Leaſes, Contracts and Agreements, as ſhall be ſo Brought in, Depoſited, and Proved, to be made on Parchment; and that they, the ſaid Commiſſioners, or any Three or more of them, ſhall, under their Hands and Seals, Atteſt the ſame, reſpectively, to be true Copies of the ſaid Originals, which ſhall be ſo lodged with them; and ſhall alſo endorſe on the ſaid Original Leaſes or Agreements, reſpectively, that ſuch Copies were taken, and the Day and Year of taking the ſame; which Endorſements ſhall alſo be Subſcribed by any Three or more of the ſaid Commiſſioners, as aforeſaid; And that as ſoon as ſuch Copies ſhall be taken, and Endorſements made, the ſaid Original Leaſes or Agreements ſhall be given back, and Reſtored to the Perſons, reſpectively, who ſhall have Brought in, Depoſited, and Proved the ſame, as aforeſaid; And in Caſe any Perſon or Perſons ſhall Neglect or Refuſe to Bring in, Depoſite, and Prove, to the Satisfaction of the ſaid Commiſſioners, or any Three or more of them, his, her, or their Leaſe or Leaſes, Agreement or Agreements,

as aforesaid, all and every such Lease and Leases, Agreement or Agreements, is, and are, hereby Declared to be null and void, as against the said Assignees, and all and every person and persons Claiming or Deriving, or to Claim or Derive, by, from, or under them, or Two of them; And all and every such Copy and Copies, as shall be made of any such Lease or Leases, or Agreements, and shall be Attested by the said Commissioners, or any Three or more of them, as aforesaid, shall be, by the said Commissioners, or any Three or more of them, Delivered to the said Assignees, or Two of them, and shall, in all or any of the Courts of Law or Equity in this Kingdom, be deemed and taken to be as full and good Evidence of such Leases and Agreements, as if the Originals had been Produced and given in Evidence on the part and Behalf of the said Assignees, or Two of them, or of any person or persons deriving by, from, or under them, or Two of them; Any Thing herein before contained, or any Law to the Contrary thereof, in any wise, notwithstanding.

Provided allways, That if any Doubt shall arise, touching the Reality of any such Lease, or Agreement for a Lease, so to be Brought in and Deposited with the said Commissioners, then the person or persons Claiming such Lease, or the Benefit of such Agreement, shall Exhibit one or more

Claims

Claims before the said Commissioners, on or before the First Day of March, in the Year One thousand seven hundred and fifty seven; which Claims the said Commissioners are hereby Authorized to Receive, and to Determine the Reality of such Lease or Leases, Agreement or Agreements, so claimed, as aforesaid, with such Right of Appeal, as aforesaid, to the Parties concerned. CHAP. XXII.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Three or more of them, by Writing, under their Hands and Seals, to order any Person or Persons, who shall have any of the Title Deeds belonging to, or any of the Securities for Debts Due and Owing unto the said John Willcocks, John Dawson, and Richard Brewer, or any or either of them, to bring in, upon Oath, or, being of the People called Quakers, upon solemn Affirmation, which Oath and Affirmation, the said Commissioners, or any Three or more of them, are hereby Impowered to Administer, and Deposite such Deed or Deeds, Security or Securities, with the Register, to be Appointed by Virtue of this Act; but not to be Inspected but by the said Assignees, or by Order of the said Commissioners, or any Three or more of them.

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And be it further Enacted by the Authority aforesaid, That the said Commissioners, or any Three or more of them, shall and may, by Writing under their Hands and Seals, Order any Person or Persons, who shall have in their Custody or Power any Books, Papers, or Writings, which the said Commissioners, or any Three or more of them, shall think necessary to be Produced, in order to the Settling of the said Accounts, and Adjusting the said Claims hereby before Directed, to Produce, upon Oath, or being of the People called Quakers upon Solemn Affirmation, which Oath and Affirmation the said Commissioners, or any Three or more of them, are hereby Impowered to Administer, before the said Commissioners, or any Three or more of them, and to Deposite with the said Register, all such Books, Papers and Writings as aforesaid; and that all and every Person and Persons Interested in the said Claims or Accounts, shall have free Liberty to resort to the said Books, Papers and Writings, in the Hand of the said Register, and to make use of the same, and take Copies thereof, at their own Expence, as Occasion shall require.

And be it further Enacted by the Authority aforesaid, That the said Commissioners, or the Major part of them, by Writing under their Hands and Seals, may appoint one or two Person or Persons to Officiate

Officiate under them, during their Pleasure, in the Execution of this Act, in the Place or Capacity of a Register or Registers, who shall keep Books, and make and keep regular Entries of all their Proceedings in Execution of this Act, and, in particular, of all the said Claims and Adjudications, and of all Matters relating thereto, and Audit State, Settle and Report the Accounts of the aforesaid Creditors, and the Accounts which the said Assignees, or Two of them, shall, pursuant to this Act, return to the said Commissioners, or any Three or more of them, or to the said Register or Registers; and that the said Register or Registers shall have reasonable Allowance for their said Service or Services, out of some Part of the Money arising out of the Real or Personal Estates of the said Joseph Fade, John Willcocks, John Dawson, and Richard Brewer, as the said Commissioners, or any Three or more of them, shall by Writing under their Hands and Seals Direct and Appoint, and which the said Assignees or Two of them are hereby Impowered and Directed to Pay.

And be it further Enacted by the Authority aforesaid, That the said John Willcocks, John Dawson, and Richard Brewer, do and shall respectively, on or before the first Day of December, One thousand seven hundred and fifty six, deliver in upon Oath, or being of the People called Quakers, upon Solemn

Affirmation, to the said Commissioners, or any Three or more of them, which said Affirmation and Oath the said Commissioners, or any Three or more of them, are hereby Impowered and Authorized to Administer, a true, exact, and particular Account of their respective Estates, Real and Personal, hereby Vested, or intended to be Vested, in the said Assignees, which they, the said John Willcocks and John Dawson, or either of them, or any Person or Persons in Trust for them, or either of them, were or was Seized, possessed of, Interested in, or Intitled unto, on the Third Day of March, in the Year One thousand seven hundred and fifty five, or at any Time since; and which the said Richard Brewer, or any Person or Persons in Trust for him, were or was, on the Twelfth Day of February, in the Year One thousand seven hundred and fifty five, or at any Time since, Seized, possessed of, Interested in, or Intitled unto, without any wilful Concealment or Omission, the necessary Wearing Apparel of the said John Willcocks and John Dawson, and the necessary Wearing Apparel of the said Richard Brewer, his Wife and Children, only excepted; and that the said John Willcocks and John Dawson do and shall, respectively, upon Notice to them, respectively, given by the said Commissioners, or any Three or more of them, within Ten Days after such Notice served, Deliver in to the said Commissioners, or any Three or more of them, all Mortgages, Bills, Bonds, Notes, and Securities,

Securities, which belonged to the said Banks, or any or either of them, or to the said John Willcocks and John Dawson, in their respective Rights, and all Books of Accounts in their Custody or Power, respectively; And that the said Richard Brewer do and shall, upon Notice to him given by the said Commissioners, or any Three or more of them, within Ten Days after such Notice served, Deliver in to the said Commissioners, or any Three or more of them, all Mortgages, Bills, Bonds, Notes, and Securities, which belonged to the said Richard Brewer, and all Books of Accounts in his Custody or Power. And that it shall and may be lawlawful to and for the said Commissioners, or any Three or more of them, to Examine, from Time to Time, and as often as they shall see Occasion, the said John Willcocks, John Dawson, and Richard Brewer, upon Oath, or solemn Affirmation, which solemn Affirmation and Oath, the said Commissioners, or any Three or more of them, are hereby Impowered to Administer, concerning their respective Estates, Real and personal, hereby Vested, or intended to be Vested, in the said Assignees, and to Examine the said Richard Brewer, touching and concerning the Cash and Effects of the said Bank kept by the said John Willcocks and John Dawson, which the said Richard Brewer, from Time to Time, took away, and the Quantum thereof, and into whose Hands he, from Time to Time, put the same, and how the same hath been,

from Time to Time Disposed of, and what is now become thereof; and that such of them, the said John Willcocks, John Dawson and Richard Brewer, as shall refuse to give in such particular Account, as aforesaid, or shall be guilty of any wilful Concealment, or Omission therein, or shall refuse to be Examined before the said Commissioners, or any Three or more of them, touching or concerning their said respective Estates, Real and Personal, or Matters aforesaid; or upon such Examination, shall be wilfuly Forsworn, or falsely Affirm, or shall wilfully Neglect or Refuse to bring in and Deposite such Securities and Books of Account, as aforesaid, shall be judged Guilty of Felony without Benefit of Clergy.

And be it further Enacted by the Authority aforesaid, That upon the said John Willcocks and John Dawson, respectively, Delivering or giving in such Account, as aforesaid, to the Satisfaction of the said Commissioners, or any Three or more of them, and upon their respectively Delivering, or causing to be Delivered, to the said Commissioners, or any Three or more of them, all their respective Estates and Effects, or so much thereof, as at the Times of such Examination shall be in their respective Custody or Power, to be applied to the Uses of this Act, and upon their respectively Delivering in, or causing to be Delivered in, to the

said

ſaid Commiſſioners, or any Three or more of them, all the reſpective Title Deeds and Securities for Money, which at the Time of ſuch Examination ſhall be in their reſpective Cuſtody or Power; and upon their making reſpectively a true and faithful Diſcovery to whom, upon what Account, and for what Conſideration the Reſidue of their ſaid reſpective Eſtates and Effects have been Diſpoſed off; Then, and in ſuch caſe, it ſhall and may be Lawful to and for the ſaid Commiſſioners, or any Three or more of them, to Certify under their Hands and Seals, the Conformity to the Directions of this Act, of ſuch of them, the ſaid John Willcocks and John Dawſon, who ſhall ſo Conform as aforeſaid; and that ſuch of them, the ſaid John Willcocks and John Dawſon, who ſhall Obtain ſuch Certificate of ſuch Conformity, as aforeſaid, and all ſuch Eſtate as the Perſon or Perſons Obtaining ſuch Certificate ſhall any Way have, purchaſe or acquire, after the Obtaining ſuch Certificate, ſhall be abſolutely freed and Diſcharged of and from all Sum and Sums of Money Due and Owing to any Perſon or Perſons whatſoever; any thing herein before contained to the Contrary thereof, in any wiſe, notwithſtanding.

And be it further Enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Three or more of them, may and ſhall Commit the ſaid Richard Brewer in

Execution, as at the Suit of the said Assignees, to the Marshal of the Four-Courts, for the Balance, if any, which shall appear to be Due, from him to them, after an Application shall be made of the Real and Personal Estate of the said Richard Brewer, to the Debt due from him to the said John Willcocks and John Dawson, to the other Purposes herein Directed, and the Marshal of the Four-Courts for the Time being, shall be subject and liable to an Action of Debt, to be brought by the said Assignees, if the said Marshal shall suffer the said Richard Brewer to escape.

Provided nevertheless, That if the said Commissioners, or any Three or more of them, shall Certify under their Hands and Seals, that there is no just Cause to suspect that the said Richard Brewer hath Concealed, or hath fraudulently Disposed of, any part of his Estate or Effects, then it shall and may be Lawful for the said Commissioners, or any Three or more of them, by and with the Consent of the said Assignees, or the major part of them, to Discharge the Person and Fortune, Estate Real and Personal, of the said Richard Brewer, from such Balance, if any.

Provided allways, And be it further Enacted by the Authority aforesaid, That in Case the said Richard Brewer shall Conform to the Directions of this Act, and that the said Com-

Commiſſioners, or any Three or more of them, ſhall, after ſuch Conformity, as aforeſaid, refuſe to give to the ſaid Richard Brewer ſuch Certificate, as aforeſaid; or in caſe the ſaid Commiſſioners, or any Three or more of them, ſhall give ſuch Certificate, as aforeſaid, in reſpect to the Conformity of the ſaid Richard Brewer, That it ſhall and may be Lawful to and for the ſaid Richard Brewer, in caſe of ſuch Refuſal, and for the ſaid John Willcocks and John Dawſon, or their, or either of their Executors or Adminiſtrators, or any other Perſon or Perſons, who ſhall think him, her, or themſelves aggrieved by the Granting of ſuch Certificate of Conformity given to the ſaid Richard Brewer, by Petition to the Lord Chancellor, Lord Keeper or Commiſſioners for hearing Cauſes in the High Court of Chancery, in this Kingdom, for the Time being, at any Time within Thirty one Days after ſuch Refuſal of Certificate of Conformity to the ſaid Richard Brewer; or in caſe ſuch Certificate of Conformity ſhall be Granted within Thirty one Days after the Publiſhing Notice of the Granting thereof, as herein after Directed, to appeal from ſuch Refuſal or Grant of Certificate of Conformity; which Appeal, the ſaid Lord Chancellor, Lord Keeper, or Commiſſioners for hearing Cauſes, ſhall Examine, Hear, and Determine, in a Summary Way, and make ſuch Order, Adjudication, and Determination thereon, as he or they ſhall think

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reasonable; and such Order, Adjudication, and Determination of the said Lord Chancelor, Lord Keeper, or Commissioners, shall be Final and Conclusive to all Persons Concerned.

Provided allways, That no Certificate of such Conformity given to the said Richard Brewer, by the said Commissioners, or any Three or more of them, shall Discharge the Person or Estate of the said Richard Brewer, until such Certificate of Conformity shall be lodged with the Register of the said Commissioners, and until Thirty one Days after Publick Notice thereof shall be given by the said Richard Brewer in the Dublin Gazette, and in Case of such Appeal, until he shall, upon such Appeal be Discharged.

Provided allways, And be it Enacted by the Authority aforesaid, That if the said Commissioners, or any Three or more of them, shall Certify under their Hands and Seals, That the said Richard Brewer hath in all Things, Conformed to the Directions of this Act, with respect to him, and that there is no just Cause to suspect that he hath Concealed or Fraudulently Disposed of any part of his Real and Personal Estate or Effects; that then, and in such Case, the said Commissioners, or any Three or more of them, shall, with the Consent of the said Assignees, or the Major part of them, Order any Sum to be paid to the said Richard

Brewer

Brewer out of his Eſtate or Effects, not exceeding Five hundred Pounds, even though the Eſtate and Effects of the ſaid Richard Brewer, ſhould fall ſhort of the Debt Due from him to the ſaid John Willcocks and John Dawſon.

And be it further Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Three or more of them, to ſend for, and call before them, by ſuch Warrant, Ways or Means, as they in their Diſcretion ſhall think fit, all and every ſuch Perſon and Perſons as they ſhall be informed and believe can give any Account or Information touching all, or any, or either of the ſaid Eſtates, Real or Perſonal, hereby Veſted, or intended to be Veſted, in the ſaid Aſſignees; and to Examine, as well by Word of Mouth, as on Interrogatories, in Writing, all and every Perſon and Perſons duly Summoned before or preſent at any Meeting of the ſaid Commiſſioners, or any Three or more of them, upon Oath, or being of the People called Quakers, upon ſolemn Affirmation, which Oath and ſolemn Affirmation, the ſaid Commiſſioners, or any Three or more of them, are hereby Impowered to Adminiſter, touching all Matters relating to all, or any, or either of the ſaid Eſtates hereby Veſted, or intended to be Veſted, in the ſaid Aſſignees, or touching or concerning the

Cash and Effects of the said Bank kept by the said John Willcocks and John Dawson, or which the said Richard Brewer, from Time to Time, took away, or the Disposing thereof; and also, to take down, and reduce into Writing, or cause to be taken down and reduced into Writing, the Answers or verbal Examinations of every such Person or Persons had or taken before them, as aforesaid; which Examination, so taken down or reduced into Writing, the Party Examined shall and is hereby Required to Sign and Subscribe; and that it shall and may be lawful to and for the said Commissioners, or any Three or more of them, to Settle and Adjudge such Sum and Sums of Money as they, or any Three or more of them, shall think reasonable to be paid to such Person or Persons summoned to be Examined, as aforesaid, for his, her, or their Charges, out of such of the Estates as the Examinations of such Person or Persons shall relate to; and that the said Assignees, or Two of them, shall, out of such Estates, respectively, pay the Sums so Adjudged, and shall be Allowed the same thereout, respectively.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons, whatsoever, shall wilfully disobey any of the Orders of the said Commissioners, or any Three or more of them, which, by this Act, they are Impowered to make; or

or if any Perſon or Perſons, duly ſummoned, as aforeſaid, ſhall Neglect or Refuſe to come and Appear before the ſaid Commiſſioners, or any Three or more of them, to be Examined, as aforeſaid, not having a lawful Excuſe, to be made known to, and allowed by the ſaid Commiſſioners, or any Three or more of them; or if any Perſon or Perſons preſent at any Meeting of the ſaid Commiſſioners, or any Three or more of them, ſhall Refuſe to Anſwer, or ſhall not fully Anſwer to the Satisfaction of the ſaid Commiſſioners, or any Three or more of them, all lawful Queſtions put to him, her, or them, by the ſaid Commiſſioners, or any Three or more of them, as well by Word of Mouth, as by Interrogatories, or ſhall refuſe to Sign or Subſcribe his, her, or their Examination ſo taken down or reduced into Writing, as aforeſaid, not having a reaſonable Objection, to be allowed by the ſaid Commiſſioners, or any Three or more of them, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Three or more of them, to iſſue their Warrants, under their Hands and Seals, to ſuch Perſon or Perſons as they ſhall think fit, to Apprehend any Perſon or Perſons for Diſobeying their ſaid Orders, or for not Appearing, when duly Summoned, as aforeſaid, or for Refuſing to be Examined, when preſent at any Meeting of the ſaid Commiſſioners, or any Three or more of them, or for not anſwering, when on their Ex-

amination, to the Satisfaction of the said Commissioners, or any Three or more of them, or for refusing to Sign or Subscribe his, her, or their Examination, so taken down or reduced into Writing, and to Commit such Person or Persons to any Prison in the City of Dublin, there to remain without Bail or Mainprize, until such Person or Persons shall Obey their said Orders, or shall submit him, her, or themselves, to the said Commissioners, or any Three or more of them, and full Answer make to the Satisfaction of the said Commissioners, or any Three or more of them, to all such Questions as shall be put to him, her, or them, as aforesaid, and Sign and Subscribe such Examination, as aforesaid, according to the true Intent and Meaning of this Act, or until he, she, or they be Discharged by the said Commissioners, or any Three or more of them, or by the Lord Chancellor, Lord Keeper, or Commissioners for hearing Causes in the High Court of Chancery in this Kingdom, for the Time being, upon Petition, setting forth the Nature of the Case; and which said Petition the said Lord Chancellor, Lord Keeper, or Commissioners of the Great Seal, is and are hereby Impowered to Hear and Determine in a summary Way.

And be it further Enacted by the Authority aforesaid, That if any Goaler or Keeper of any Prison, to whom any such Person

ſon or perſons ſhall be ſo Committed as aforeſaid, ſhall wilfully ſuffer ſuch perſon or perſons to Eſcape from ſuch Priſon, or to go without the Walls or Doors of the ſaid Priſon, until he, ſhe, or they, ſhall be duly Diſcharged, as aforeſaid, ſuch Goaler or Keeper, ſhall, for ſuch his Offence, being duly Convicted by Indictment, forfeit the Sum of One hundred Pounds, lawful Money of Great Britain, to be paid to the ſaid Aſſignees, or Two of them, and to be by them applied towards the Expences of Paſſing and Executing this Act.

And be it further Enacted by the Authority aforeſaid, That it ſhall and may be Lawful to and for the ſaid Commiſſioners, or any Three or more of them, to grant Protections to the ſaid John Willcocks and John Dawſon, reſpectively, during their reſpective Attendance on them, and on the ſaid Aſſignees or Two of them; which Protections ſhall be taken Notice of, and be allowed in all Courts, and by all Sheriffs and other Officers of Juſtice; and alſo, that it ſhall and may be Lawful to and for the ſaid Commiſſioners, or any Three or more of them, to Order for the ſaid John Willcocks, John Dawſon, and Richard Brewer, reſpectively, ſuch reaſonable Allowance for their Trouble during their Attendance in the Execution of this Act, as to them, or any Three or more of them, ſhall

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seem reasonable; which Allowances shall be paid by the said Assignees, to the said John Willcocks, John Dawson, and Richard Brewer, respectively, out of their respective Estates, Real and Personal, herein after Vested in the said Assignees.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons who shall make Affidavit, or Solemn Affirmation, or be Examined upon Oath or Solemn Affirmation, by or before the said Commissioners, or any Three or more of them, in pursuance of this Act, shall be wilfully forsworn, or falsely Affirm, and be thereof Lawfully Convicted, such Person or Persons shall be subject and liable to such Penalties and Punishment as are inflicted by an Act passed, in this Kingdom, in the Twenty eighth Year of the Reign of the late Queen Elizabeth, Intituled, An Act, concerning Wilful Perjury.

And be it further Enacted by the Authority aforesaid, That no Person herein before named a Commissioner, or who shall be Nominated a Register, pursuant to this Act, shall be capable of Acting as such, or Executing any of the Powers herein contained, until such Time as he shall have taken the Oath to the Effect following, that is to say,

I A.

I *A. B.* do Swear, that I will faithfully and impartially, according to the beſt of my Skill and Knowledge, without any Reſpect, Favour, Reward or Affection, to or for any Perſon whatſoever, ſave only ſuch Reward as is Provided by this Act, Execute the ſeveral Truſts repoſed in me by an Act of Parliament, [Intituled, *An Act for the Relief of the Creditors of the Bank lately kept by* John Willcocks *and* John Dawſon; *and of the Creditors of the Bank lately kept by* Joſeph Fade, *and* John Willcocks; *and of the Creditors of the Bank lately kept by* Joſeph Fade, Iſachar Willcocks, *and* John Willcocks; *and of the Creditors of the Bank lately kept by* Joſeph Fade; *and for raiſing out of the Eſtates Real and Perſonal of* Richard Brewer, *late the Caſh-Keeper of the ſaid* John Willcocks *and* John Dawſon, *the Sum Due by the ſaid* Richard Brewer *to the ſaid* John Willcocks *and* John Dawſon;] and I am not to my Knowledge or Belief, any way Intereſted or Concerned, Directly or Indirectly, in any of the Claims, Demands, or other Matters or Things to be Settled, Adjudged or Determined by the ſaid Act.

Which Oath ſhall be Adminiſtred to to the ſaid Commiſſioners and Regiſter or Regiſters, reſpectively, by the ſaid Lord Chancellor, Lord Keeper, or Commiſſioners for hearing Cauſes in the High Court of Chancery, in this Kingdom, for the Time being.

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And whereas the said Richard Brewer is now in the Custody of the Marshal of the Marshalsea of the Four-Courts, in Dublin, at the Suit of the said John Willcocks and John Dawson;

Be it Enacted by the Authority aforesaid, That the Marshal of the said Marshalsea for the Time being, shall, at the Times and Place within the County of the City of Dublin appointed, by any Notice in Writing, to be Signed by the said Commissioners, or any Three or more of them, bring the said Richard Brewer before the said Commissioners, or any Three or more of them, to be Examined by the said Commissioners, or any Three or more of them, touching or concerning the Estate and Effects of the said Richard Brewer, and all other Matters, concerning which, the said Commissioners, or any Three or more of them, are hereby Impowered to Examine the said Richard Brewer; and that the said Assignees, or Two of them, shall pay out of the Estate and Effects of the said Richard Brewer, to the said Marshal, for his attending and taking Care of the said Richard Brewer, at the Times and Place so appointed, so much as the said Commissioners, or any Three or more of them, shall adjudge to be reasonable for such Care and Attendance of the said Marshal; and that if the said Marshal for the Time being shall fail or neglect so to do, that such

Marshal

Marſhal ſo failing or neglecting, ſhall for every ſuch wilful Failure or Neglect, Forfeit and pay to the ſaid Aſſignees, or Two of them, the Sum of Ten Pounds, to be recovered by Action of Debt in any of his Majeſty's Courts of Record at Dublin, by the ſaid Aſſignees, or Two of them, or by any Perſon or Perſons to be Nominated or Appointed by them, or Two of them, to Sue for the ſame, and to be applied in ſuch Manner as the other Eſtates of the ſaid Richard Brewer are by this Act Directed to be applied.

And for the better Diſcovery of the Eſtates hereby Veſted, or intended to be Veſted, in the ſaid Aſſignees;

Be it further Enacted by the Authority aforeſaid, That all and every Perſon or Perſons who ſhall, at any Time after the reſpective Times herein before appointed for the ſaid John Willcocks, John Dawſon, and Richard Brewer, reſpectively, to make a full and true Diſcovery of their Eſtates, as aforeſaid, voluntarily come and make a Diſcovery of any part of ſuch Eſtates not before come to the Knowledge of the ſaid Commiſſioners, or any Three of them, or of the ſaid Aſſignees, or Two of them, ſhall be allowed Fifteen Pounds per Centum, and ſuch further, and other Reward as the ſaid Commiſſioners, or any Three or more of them, ſhall think fit, to be paid out of

the first Produce of such Estate which shall be recovered on such Discovery, which shall be paid to the Person or Persons so Discovering the same, by the said Assignees, or Two of them, and the same shall be allowed to the said Assignees out of such Estate.

And be it further Enacted by the Authority aforesaid, That all and every Person or Persons who already have accepted of any Trust or Trusts, and shall willfuly Conceal any of the Estate, Real or Personal, which belongeth to the said John Willcocks, John Dawson, and Richard Brewer, or any, or either of them, hereby Vested in the said Assignees, and shall not on or before the First Day of March, One thousand seven hundred and fifty seven, truly Discover and Disclose such Trusts and Estates, in Writing, to the said Commissioners, or any Three or more of them, shall be liable and hereby stand chargeable with double the Value of the Estate or Effects so Concealed; to be recovered by action of Debt in any of his Majesty's Four-Courts of Dublin, by the said Assignees, or two of them, or by any Person or Persons to be Nominated or Appointed by them, or two of them, to Sue for the same; which when Recovered, shall be deemed and taken to be part of the Estate so Concealed, and applied to the same Purposes which such concealed Estate is by this Act Directed to be applied; any

Thing

Thing herein contained to the Contrary, notwithstanding. CHAP. XXII.

And be it further Enacted by the Authority aforesaid, That all and singular the Manors, Lands, Tenements, and Hereditaments, Rents, Reversions, Remainders, Uses and Trusts, which the said Joseph Fade was, at the Time of his Death, Seized of, or Intitled unto, in Fee Simple, Fee Tail, or for Life, or Lives, either in Law or Equity; and all Debts which have not heretofore been Bona Fida Paid or Discharged, and were then Due to him, or which he was Intitled unto; and likewise all other the Estate, Real and Personal, which the said Joseph Fade died Seized, Possessed of, Interested in, or Intitled unto (except such Sum or Sums of Money, as have been since really and Bona Fide applied to the Payment of his Debts or Legacies, and such Part of his Personal Estate, as hath been Bona Fide, and for valuable Consideration sold; And also, all the Manors, Land, Tenements and Hereditaments, Rents, Reversions, Remainders, Uses, and Trusts, which the said John Willcocks and John Dawson, or either of them, were upon or since the Third Day of March, One thousand seven hundred and fifty five, Seized of, or Intitled unto, in Fee Simple, or Fee Tail, or for Life or Lives, either in Law or Equity; and also, all Debts which have not been heretofore really and Bona Fide Paid or Dis-

charged, and where then due to them, or either of them, or to them, or either of them, as partners with each other, or to the said John Willcocks, as partner with the said Joseph Fade and Isachar Willcocks, or to the said John Willcocks, as partner with the said Joseph Fade; And likewise, all the other Estate, Real and personal, of which they the said John Willcocks and John Dawson, or either of them, was or were seized, possessed of, interested in, or intitled unto, on the said Third Day of March, One thousand seven hundred and fifty five, or since; except such Sum or Sums of Money, as has or have been since really and Bona Fide applied to the payment of their or either of their Debts, or Expended in Suits, or other Business relative to the said Estates of the said John Willcocks and John Dawson, or in the Costs or Expences of passing this Act, or in the necessary Charges of their Cloathing, Maintenance, and House-keeping; and also, except such part of their, or either of their personal Estate, as hath been Bona Fide, and for a valuable Consideration, Sold; and also, all the Manors, Lands, Tenements, and Hereditaments, Rents, Reversions, Remainders, Uses, and Trusts, which the said Richard Brewer was, upon or since the Twelfth Day of February, One thousand seven hundred and fifty five, Seized of, or Intitled unto, in Fee Simple, or Fee Tail, or for Life or Lives, either in Law or Equity; and also, all Debts which have not

not been heretofore really and Bona Fide paid and Diſcharged, and which were then Due to him; and likewiſe, all the other Real and perſonal Eſtate of which the ſaid Richard Brewer was Seized, poſſeſſed of, Intereſted in, or Intitled unto, on the ſaid Twelfth Day of February, One thouſand ſeven hundred and fifty five, or ſince; except ſuch Sum and Sums of Money as has or have been ſince really and Bona Fide applied to the Payment of his Debts, or Expended in the neceſſary Charges of the Cloathing and Maintenance of the ſaid Richard Brewer, his Wife and Children, or in Suits relative to the ſaid Eſtates of the ſaid Richard Brewer, or in the Defence of his Perſon or Eſtates; and except ſuch part of his perſonal Eſtate, as hath been Bona Fide, and for a valuable Conſideration Sold, ſhall be and are, from the Death of the ſaid Joſeph Fade, as to his ſaid Eſtate, Real and perſonal, and from the ſaid Third Day of March, One thouſand ſeven hundred and fifty five, as to the ſaid reſpective Eſtates, Real and perſonal, of the ſaid John Willcocks and John Dawſon, and from the ſaid Twelfth Day of February, One thouſand ſeven hundred and fifty five, as to the ſaid Eſtates, Real and perſonal, of the ſaid Richard Brewer, hereby Veſted, Adjudged, and Declared to be Veſted in, and in the Seizin and Poſſeſſion of, George Rochfort and Theobald Wolfe, Eſquires, and Robert Clibborn, Merchant, being Aſſignees

appointed for the Intents and Purposes herein after mentioned, their Heirs, Executors and Administrators, in such Manner as is herein after mentioned: (that is to say) The Estates Tail shall be Vested in them in Fee, and all other the Estates, Real and Personal, shall be Vested in them for such respective Estates, Rights, Titles, and Interests, as they, the said Joseph Fade, John Willcocks, John Dawson, and Richard Brewer, respectively, had, or were Intitled unto, at the respective Times before mentioned. And where any Question shall arise, Whether the said Richard Brewer hath, since the said Twelfth Day of February, in the Year One thousand seven hundred and fifty five, really and Bona Fide Received any Debt or Debts Due to him, exceeding the Sum of Fifty Pounds, from any One Person (Rent only excepted) or where any Question shall arise, Whether the said Richard Brewer hath, since the said Twelfth Day of February, One thousand seven hundred and fifty five, really and Bona Fide Sold or Disposed of any Part of his Personal Estate or Effects, to any One Person, amounting in Value to Fifty Pounds or upwards.

And be it Declared and Enacted by the Authority aforesaid, That the Receipt or Acknowledgement of the said Richard Brewer, shall not alone be sufficient Evidence that such Debt or Debts were really and Bona Fide Paid to him, or such Personal Estate

or

or Effects were really and Bona Fide Sold, or Diſpoſed of, or the Produce of the ſame was Paid to the ſaid Richard Brewer: But that in every ſuch Caſe, further and better Evidence ſhall be Required, that ſuch Debt or Debts were Paid, or ſuch Perſonal Eſtate or Effects were Sold, or the Produce thereof received by the ſaid Richard Brewer; and where any Receipt or Receipts, Acknowledgment or Acknowledgments, Signed or Perfected by the ſaid Richard Brewer, and bearing Date, on or prior to the ſaid Twelfth of February, One thouſand ſeven hundred and fifty five, ſhall be Produced, ſuch Receipt or Receipts, Acknowledgment or Acknowledgments, ſhall not alone be deemed concluſive Evidence, that the ſame was or were Signed or Perfected by the ſaid Richard Brewer, on or before the ſaid Twelfth of February, One thouſand ſeven hundred and fifty five: But that in every ſuch Caſe, further and better Evidence ſhall be given, if required, that ſuch Receipt or Receipts, Acknowledgment or Acknowledgments, was or were Signed or Perfected by the ſaid Richard Brewer, on or before the ſaid Twelfth Day of February, One thouſand ſeven hundred and fifty five.

Provided allways, That nothing herein contained, ſhall, in any Caſe, be conſtrued to give greater Force or Credit to the Receipt or Receipts, Acknowledgment or Acknowledgments, of the ſaid Richard Brewer,

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than if the said Clauses touching his Receipt or Receipts, Acknowledgment or Acknowledgments, were not inserted herein.

And be it further Enacted by the Authority aforesaid, That the said Assignees, or Two of them, shall be and are hereby Authorized to Sell and Dispose of the said Real and Personal Estates, or so much thereof as shall be necessary for the Purposes herein after mentioned, and to call in, Sue for, Recover or Compound the said Debts due to the said Joseph Fade, John Willcocks, John Dawson, and Richard Brewer, or to any or either of them, in Trust, to Apply the Money arising thereby in such Manner as herein after Directed: (that is to say) upon Trust, that the said Assignees, or Two of them, shall, out of the Real and Separate Personal Estate of the said Joseph Fade, Raise so much as will Satisfy all the Separate Debts of the said Joseph Fade, which were Due at the Death of the said Joseph Fade, and remain Unpaid; and also, so much, as, together with the Bank and the Partnership Estate and Effects of the said Joseph Fade, will Satisfy all the Bank and Partnership Debts of the said Joseph Fade, which were Due at the Death of the said Joseph Fade, and remain Unpaid; and also, so much as will Satisfy the other Purposes herein after mentioned and declared, concerning the said Separate Estates, Real and Personal, of the said

Joseph

Joſeph Fade, and ſhall Apply the ſame in Manner herein before Directed.

And upon further Truſt, that the ſaid Aſſignees, or Two of them, ſhall, out of the Real and Separate perſonal Eſtates of the ſaid John Willcocks and John Dawſon, reſpectively, Raiſe ſo much as will Satisfy their reſpective Separate Debts; and alſo, ſo much as will ſatisfy the other purpoſes herein after mentioned and declared concerning the ſaid Separate Eſtates, Real and perſonal, of the ſaid John Willcocks and John Dawſon, reſpectively, and ſhall Apply the ſame in Manner herein after Directed; And upon further Truſt, that the ſaid Aſſignees, or Two of them, ſhall, out of the Eſtates, Real and Perſonal, of the ſaid Richard Brewer, Raiſe ſo much as will Satisfy the Debts of the ſaid Richard Brewer, and the other Purpoſes herein after mentioned and declared concerning the ſaid Eſtates of the ſaid Richard Brewer, and ſhall Apply the ſame in Manner hereafter Directed; and out of the Bank Effects of the ſaid Joſeph Fade, to Raiſe ſo much as will Satisfy the ſaid Bank Debts of the ſaid Joſeph Fade, which were Due at the Deceaſe of the ſaid Joſeph Fade, and remain Unpaid; and out of the ſaid Eſtates of the ſaid John Willcocks and John Dawſon, whether Separate or in Partnerſhip, to Raiſe ſo much as will Satisfy the Partnerſhip Debts of the ſaid John Willcocks and John Dawſon, which

were Due and Owing on the said Third Day of March, One thousand seven hundred and fifty five, and remain unpaid; and also, so much as will Satisfy the other Purposes herein after mentioned, and to apply the same in manner herein after Directed.

And be it further Enacted by the Authority aforesaid, That the said Assignees, or Two of them, shall out of the said Estates, so Vested in them, raise so much Money as will satisfy the Costs and Expences of passing this Act, and all Disbursements attending the Execution thereof, in the Proportions herein after mentioned: (that is to say,) out of the said Estates of the said Joseph Fade, one third part thereof, and out of the said Estates of the said John Willcocks, and John Dawson, one third part thereof, and out of the said Estates of the said Richard Brewer, the other third part thereof; and that the Costs, Expences, and Disbursements, paid, laid out, or made by the said Assignees, or Two of them, in Suing for, Recovering, Receiving, or Defending the said respective Estates, shall be raised by the said Assignees, or Two of them, in manner aforesaid, out of the Estates of such of them, the said Joseph Fade, John Willcocks, John Dawson, and Richard Brewer, in whose Right, or on whose Behalf, such Costs, Expences and Disbursements shall be paid, laid out, or made; and that the said Costs,

Expences

Expences and Disbursements shall be in the first place paid and Deducted by the said Assignees, or Two of them, out of the said respective Estates, in manner aforesaid.

And be it further Enacted by the Authority aforesaid, That the Sum of Four Pence in the Pound, for each and every Pound which shall arise out of, or by Means of the said Sale or Sales of Lands, or any other the Effects of the said Joseph Fade, John Willcocks, John Dawson, and Richard Brewer, or any of them, so Vested in the said Assignees, by Virtue of this Act, over and above the Charges of Obtaining the same, and over and above all the said other Costs, Expences and Disbursements attending the Execution of this Act, and the Suing for, Recovering, Receiving, or Defending the said Estates, hereby Vested in the said Assignees, shall be paid to the said Commissioners, or such of them as shall act in the said Trust, by the said Assignees: So as that such Sum of Four Pence in the Pound, shall not amount in the Whole to more than Two hundred Pounds to each of the said Commissioners, one Moiety or half Part thereof, to be Defrayed by the said Creditors, and the other Moiety or half part thereof, out of the Surplus of the said respective Estates, in Proportion to the Sums thereout respectively raised, and received by the said Assignees.

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And be it further Enacted by the Authority aforesaid, That the said Assignees, or Two of them, after such Claims are Adjusted and Determined, shall apply so much of the Money directed to be raised, as aforesaid, as shall remain after the Payment of the said Costs and Expences of Passing this Act, and all Disbursements attending the Execution of the same, and all other the said Costs, Expences and Disbursements attending the Suing for, Recovering, Receiving or Defending the said Estates, hereby Vested in the said Assignees, in manner herein after mentioned: (that is to say) that the said Assignees or Two of them, shall, with the Money to be raised as aforesaid, out of the respective separate Estates of the said Joseph Fade, John Willcocks, and John Dawson, pay their respective separate Debts, according to the Nature, Amount, and Priority of such separate Debts. And in Case the said respective Estates shall not be sufficient for that Purpose, that then the said Assignees, or Two of them, shall pay the Clais of such separate Creditors, wherein such Deficiency shall begin, rateably, and in equal Proportions, and shall apply the Residue of the said Money directed to be raised out of the said respective separate Estates, together with the said Money Raised and Received out of the said respective partnership Estates, to the Payment of the respective Bank Debts of the said Joseph Fade,

John

John Willcocks and John Dawſon, according to their Nature, Amount and Priority; and in caſe the ſame ſhall not be ſufficient for that Purpoſe, that then the ſaid Aſſignees, or Two of them, ſhall pay the Claſs of ſuch Bank Creditors, where ſuch Deficiency ſhall begin, rateably, and in equal Portions; and that the ſaid Aſſignees, or Two of them, ſhall with the Money to be raiſed as aforeſaid, out of the Eſtates, Real and Perſonal, of the ſaid Richard Brewer, pay the Debts of the ſaid Richard Brewer, according to their Nature, Amount, and Priority; and in caſe the ſame ſhall not be ſufficient for that Purpoſe, that then the ſaid Aſſignees, or two of them, ſhall pay the Claſs of ſuch Creditors, where ſuch Deficiency ſhall begin, rateably, and in equal Proportions.

And for the more eaſy and better calling in, Compounding, or Recovering, of all or any of the ſaid Debts of the ſaid Joſeph Fade, John Willcocks, John Dawſon, and Richard Brewer; as alſo, for Obtaining or Recovering of the Poſſeſſion of all or any of the ſaid Lands, Tenements, Hereditaments, and Premiſſes, by this Act Veſted in the ſaid Aſſignees, or the Rents and Profits thereof;

Be it further Enacted by the Authority aforeſaid, That the ſaid Aſſignees, or Two of them, may Call in, Compound, and Receive, or Sue for, and Recover, all or any of the ſaid Debts; and alſo, take and receive,

or Sue for, and Recover, the Possession of all or any of the said Lands, Tenements, Hereditaments, and Premisses, or the Rents and Profits thereof; and that all Suits either in Law or Equity, for that Purpose, may be Commenced and Prosecuted in the Name or Names of any Person or Persons to be Nominated for that Purpose by the said Assignees, or Two of them; and that all Proceedings in the Name or Names of such Person or Persons, so to be Nominated, by Virtue of this Act, shall be Good and Effectual to all Intents and Purposes, as if such Suits or Proceedings had been Carried on in the Names of the said Assignees, or Two of them; and in case of the Death of any Person or Persons so Nominated, another Person or Persons shall be Nominated, as aforesaid, and the Suit or Suits shall not Abate; and all and every other Act, Matter or Thing, which the said Assignees, or Two of them, shall do for and Concerning the Recovery or Receipt of the said Debts, or any of them, or concerning the Getting, or Recovering the Possession of all or any of the said Lands, Tenements, Hereditaments and Premisses, or the Rents or Profits thereof, shall and may be as Valid and Effectual in the Law, as if such Suit and Suits was or were in the Names of all the said Assignees, or the Survivors or Survivor of them, and as if such Act, Matter, or Thing had been done by all the said Assignees, or the Survivors

or

or Survivor of them; and that no Person or Persons who shall be Sued either at Law or in Equity, by the said Assignees, or Two of them, or by any Person or Persons to be appointed by them to Sue as aforesaid, by Virtue of all or any of the Powers given them by this Act, shall have any Privilege as Member or Members of either House of Parliament, save only as to the Persons of such Members; any Thing herein before Contained, or any Law or Usage to the contrary thereof, in any Wise, notwithstanding.

And be it further Enacted by the Authority aforesaid, That each of them, the said John Willcocks and John Dawson, shall after the said Claims are Adjusted and Determined, and after they, the said John Willcocks and John Dawson, shall respectively Obtain from the said Commissioners, or any Three or more of them, such Certificate of their Conformity as aforesaid, out of the net Produce of the said Estates of the said John Willcocks and John Dawson, whether Separate or in Partnership, which the said Assignees, shall, by Virtue of this Act, Raise or Receive as a Fund for the Payment of the Partnership Debts of the said John Willcocks and John Dawson, over and above the said Costs and Expences of Passing this Act, and all Disbursements attending the Execution of the same, and over and above the said other Costs, Expnces and Disburse-

ments of Suing for, Recovering, or Defending the said Estates of the said John Willcocks and John Dawson, hereby Vested in the said Assignees, be allowed the Sum of Five Pounds for each Hundred Pounds, and the same shall be paid by the said Assignees, or Two of them, unto the said John Willcocks and John Dawson, respectively, or to their respective Executors, or Administrators, in case the net Produce of the said Estates of the said John Willcocks and John Dawson, after such Allowance made, shall be sufficient to pay the Partnership Creditors of the said John Willcocks and John Dawson, the Sums Judged to them upon their Claims, in pursuance of this Act, the Sum of Thirteen Shillings and four Pence in the Pound, and so as the said Five Pounds for each Hundred Pounds, shall not amount in the Whole to each of them, the said John Willcocks and John Dawson, to the Sum of One thousand five hundred Pounds: And in case the said net Produce of the said Estates of the said John Willcocks and John Dawson, shall, over and above the Allowance hereafter mentioned, be Sufficient to pay the said Partnership Creditors of the said John Willcocks and John Dawson, the Sum of Fifteen Shillings in the Pound for their respective Debts, to be Adjudged to them, as aforesaid, that then, each of them, the said John Willcocks and John Dawson, shall be allowed the Sum of Six Pounds for each Hundred out of such net

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Produce to be paid as aforesaid, so as such Six Pounds for each Hundred shall not Amount, in the Whole, to above the Sum of Two Thousand Pounds to each of them, the said John Willcocks and John Dawson. And in Case the said net Produce of the said Estates of the said John Willcocks and John Dawson, shall, over and above the Allowance hereafter made, be sufficient to pay the said Partnership Creditors of the said John Willcocks and John Dawson, the Sum of Sixteen Shillings in the Pound for their respective Debts, that then, each of them, the said John Willcocks and John Dawson, shall be allowed the Sum of seven Pounds for each Hundred Pounds out of such net Produce, to be paid as aforesaid, by the said Assignees, or Two of them, so as such Seven Pounds for each Hundred, shall not Amount, in the Whole, to above the Sum of Three Thousand Pounds to each of them, the said John Willcocks and John Dawson.

And be it further Enacted by the Authority aforesaid, That the said Assignees, or Two of them, by Writing, under their Hands and Seals, shall and may Nominate and Appoint One or Two Person or Persons to officiate under them, during their Pleasure, in the Capacity of a Clerk or Book-keeper, who shall keep One or more distinct Book or Books of Account, wherein he or they shall duly Enter all Sum and Sums of Money which the said

Assignees, or Two of them, shall have got or received out of the said Effects hereby Vested, or intended to be Vested, in the said Assignees; and all Sum and Sums of Money, which they, the said Assignees, or Two of them, shall, from Time to Time, Pay, Lay out, and Expend, in Discharging the said Trusts hereby Reposed in them; to which Book or Books of Account, every Creditor, who shall, upon his or their Claim, Obtain an Adjudication for any Sum of Money out of any of the said Estates, hereby Vested in the said Assignees: And the said John Willcocks, John Dawson, and Richard Brewer, and the Heirs, Executors, and Administrators of them, or any, or either of them, shall, at all seasonable Times, have free Resort, and Inspect the same, as often as he or they shall think fit; and that the said Clerk or Clerks, Book-keeper or Book-keepers, shall have for his or their Service or Services, such a Salary, or Salaries, Yearly, or according to the Yearly Rate, not exceeding, in the Whole, by the Year, the Sum of Eighty Pounds, as the said Assignees, or Two of them, shall, by Writing under their Hands and Seals, Direct and Appoint, and to be paid by the said Assignees, or Two of them, out of the said Estates, hereby Vested in them.

And be it further Enacted by the Authority aforesaid, That the said Assignees shall be

be accountable only for what they shall respectively Receive, and not One of them for the Receipts of any other of the said Assignees, or for any Loss that may arise by Means of their Depositing in any known Bank of the City of Dublin, any of the Money by them Received, out of all or any of the Estates hereby Vested, or intended to be Vested, in the said Assignees.

And whereas several of the Debtors of the said respective Banks, have, since the First Day of March, One thousand seven hundred and fifty five, Bought Notes of the said several Banks, for Sums considerably less than the Sums thereby payable, and have, to serve their Friends, taken Notes of the said respective Banks, with Intent to be allowed the Whole of the Sums payable by such Notes, out of the Debts Due by them to the said respective Banks, which would greatly lessen the Fund of the Creditors of the said several Banks;

Be it Enacted by the Authority aforesaid, That the said Debtors of the said Banks shall not have any Credit out of the Debts Due by them, respectively, to the said several Banks, but for such of the Notes of the said Banks, as they respectively had in their Custody or Possession, on the said First Day of March, One thousand seven hundred and fifty five; and that their having since Bought or got into their Possession, any

Notes of the said Banks, or any or either of them, shall not, in any Sort, Stop, Prevent or Delay the Payment of the several Debts Due by them, respectively; and that such Debtors shall be obliged to pay the several Sums Due and Owing by them to the said Banks, without any Regard had to the Notes by them respectively obtained or gotten since the said First Day of March, One thousand seven hundred and fifty five; and that the Possession of such Notes shall be deemed and considered only as making them Creditors at large upon the General Fund, for the Payment of the Debts of the said respective Banks, to be paid in Proportion, only, with the other Creditors of the said several Banks.

And be it further Enacted by the Authority aforesaid, That the said Richard Brewer shall Remain, Continue, and Be, in the Custody of the said Marshal of the said Marshalsea of the Four-Courts, at Dublin, until he shall obtain from the said Commissioners, or any Three or more of them, such Certificate of his Conformity as aforesaid.

And whereas several of the Debts Due to the said Banks, at the Time of the Stoppage of Payment of the said John Willcocks and John Dawson, on the said Third Day of March, One thousand seven hundred and fifty five, and several of the Debts which were Due to the said Richard Brewer,

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on the said Twelfth Day of February, One thousand seven hundred and fifty five, may, by the Lapse of Time since, have been Barred by the Statutes of Limitations, or some, or one of them.

And whereas the Execution of this Act may take longer Time than is foreseen, and that the Commencing of Suits to prevent the Statutes of Limitations from Barring the Recovery of Debts Due to the said Banks and Bankers, and the said Richard Brewer, respectively, may be attended with great Expence;

Be it Enacted by the Authority aforesaid, That the said Assignees, or Two of them, or any Person or Persons Appointed, or to be Appointed, by them, or Two of them, for that Purpose, shall and may, at all Times, while the said Debts, or any of them, remain Vested in them, by this Act, be at Liberty to Sue for and Recover the Debts so Due, pursuant to the Directions, and according to the Powers hereby given, and shall and may, notwithstanding any Statute or Statutes of Limitations heretofore made, or any Law, Statute, or Custom to the contrary, Sue for and Recover the said Debts so Due, and every of them; and that no Statutes or Statute of Limitation shall be pleaded or Relied on, or any way made Use of, in any Court of Law or Equity, to Bar, or in any sort af-

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fect the said Debts, or any of them, while the same, or any of them, remain in the said Assignees, or any of them, by Virtue of this Act.

Provided always, And be it Enacted by the Authority aforesaid, That nothing in this Act contained shall Extend, or be construed to Extend, to Bar, Hinder or Prevent any Person whatsoever, from having such Benefit and Advantage of the Statutes of Limitations, or any of them, as such Person had, or might have had, on the said Third Day of March, One thousand seven hundred and fifty five, as to the Debts Due to the said Banks and Bankers, respectively, and on the said Twelfth Day of February, in the Year One thousand seven hundred and fifty five, as to the said Debts Due to the said Richard Brewer, in as ample and beneficial a Manner, as if this Act, had never been made.

And be it Enacted by the Authority aforesaid, That no Part of the Time, during which the said Debts, or any of them, shall remain Vested in the said Assignees, or any of them, by Virtue of this Act, shall be esteemed or accounted any Part of the Time within which the Person or Persons, respectively, who is, are, or shall be, Intitled to the said Debts, or any of them, after the full Execution of this Act, ought, by any Statute or Statutes of Limitation whatsoever,

whatsoever, to bring his, her, or their Action or Actions, Suit or Suits, for Recovery of any such Debt or Debts as aforesaid: But that such Person or Persons, respectively, shall have Allowance of all such Time as has hitherto, and shall hereafter incur while the said Debts, or any of them, remain Vested in the said Assignees, by Virtue of this Act; and shall and may, at any Time within Two Years after the full Execution of this Act, be at Liberty to bring his, her, or their Action or Actions, Suit or Suits, for Recovery of all or any of the said Debts, so Due and Vested in the said Assignees, by this Act; the Statutes of Limitations of Actions, or any Law, Statute or Usage to the Contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That if there shall be any Overplus of Money arising by the Sale or Produce of the several Real and Personal Estates Vested in the said Assignees as aforesaid, after the Performance of all the Trusts of this Act, the same shall go, belong, and be Applied, to and for the Use and Benefit of such Person or Persons as would have been Intitled to the same, if this Act had never been made.

And whereas, it may be expedient for the more easy and speedy Execution of this Act, and for the Ease and Quiet of the Assignees, that the said Assignees should from

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Time to Time Account before the said Commissioners, for the Sums by them Received, under and by Virtue of this Act, out of the Estates of the said Joseph Fade, John Willcocks, John Dawson, and Richard Brewer, respectively; and also, to have Allowance for the Sums by them from Time to Time Disbursed and Paid, pursuant to the Directions of this Act;

Be it Enacted by the Authority aforesaid, That the said Commissioners, or any Three or more of them, may, from Time to Time, Order and Direct the said Assignees, to Account, and that the said Assignees, or Two of them, shall within Forty Days after the Service of such Order, return in Writing to the said Commissioners, or any Three or more of them, or to the said Register or Registers, a fair and just Account of all the Sums Received by them, or Two of them, out of the Estates hereby Vested in the said Assignees, and of the Payments and Disbursements by them, or Two of them, made, in pursuance of this Act; and that the said Commissioners, or any Three or more of them, do and shall, immediately after such Account shall be so returned, give Notice by Advertisement to be Published Four Times successively at least, in the Dublin Gazette, that such Accounts are Returned, and of the Times when the said Commissioners, or any Three or more of them, intend first to go upon the Examination

Examination of the said Accounts, and that such Notice shall be first published as aforesaid, Forty Days at least before the Day appointed for first Entering upon the Examination of the said Accounts; and that it shall and may be Lawful to and for the said Assignees, or Two of them, as often as they, or Two of them, shall think fit, to make up and Deliver to the said Commissioners, or any Three or more of them, or to the said Register or Registers, a just and fair Account of all the Sums by the said Assignees, or Two of them, received out of the Estates hereby Vested in them, and of the Payments and Disbursements by them, or Two of them, made, in pursuance of this Act; and that the said Assignees or Two of them, do and shall, immediatly after such Accounts are returned as aforesaid, give Notice by Advertisement to be Published in the Dublin Gazette four Times successively at least, of such Accounts having been Returned, and of their Intention to have the same Examined and Settled by the said Commissioners, or any Three or more of them; and that the said Commissioners, do and shall, at the Request of the said Assignees, or Two of them, at any Time within Sixty Days, and not less than Fifty Days after the first publishing such Advertisement, as aforesaid, by the said Assignees, or Two of them, appoint a Time for their first Entering upon the Examination of the said Accounts,

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and do and shall, within Ten Days at least after the Time so appointed, give Notice by Advertisement, to be published in the Dublin Gazette, of the Time appointed by them for their first Entering upon the Examination of the said Accounts, and that such Advertisement shall be published Four Times successively; which said Accounts, the said Commissioners, or any Three or more of them, are hereby Impowered to Receive, and to Examine and Determine in a Summary Way, within Four Kalendar Months after the Time appointed by them, or any Three or more of them, for their first Entering upon the Examination of the said Accounts; and that the said Commissioners, or any Three or more of them, do and shall, in the Stating and Settling such Accounts, give Credit to the said Assignees, or Two of them, for all Sums by them, or Two of them, Paid, or Disbursed, in pursuance of this Act; and that the said Commissioners, or any Three or more of them, shall and may Examine upon Oath, or being of the People called Quakers, upon Solemn Affirmation, which Oath and Solemn Affirmation, the said Commissioners, or any Three or more of them, are hereby Impowered to Administer to all and every such Witness and Witnesses as shall be Produced before them touching the said Accounts, returned by the said Assignees, or Two of them, and, at the Request of any of the

Parties concerned, may, by Writing under the Hands of the ſaid Commiſſioners, or any Three or more of them, order any Witneſs or Witneſſes to appear, and give their Teſtimony before them; and ſhall and may likewiſe Examine upon Oath, or being of the People called Quakers, upon Solemn Affirmation, which Oath and Affirmation, the ſaid Commiſſioners, or any Three or more of them, are hereby Impowered to Adminiſter, all and every the ſaid Aſſignees, concerning the Truth of the ſaid Accounts, or any Matter relating thereunto; and that the ſaid Commiſſioners, or any Three or more of them, ſhall and may take any Affidavits, and adminiſter Oaths to that Purpoſe, touching and concerning the Service of their Orders, Notices, and Summonſes.

Provided allways, And be it further Enacted by the Authority aforeſaid, That if the ſaid Aſſignees, or Two of them, or the ſaid John Willcocks, John Dawſon, and Richard Brewer, or any, or either of them, or the Heirs, Executors, or Adminiſtrators of any, or either of them, or any other Perſon or Perſons, ſhall think him, her, or themſelves Aggrieved by any Judgment or Determination of the ſaid Commiſſioners, or any Three or more of them, concerning the ſaid Accounts, ſo returned by the ſaid Aſſignees, or Two of them, as aforeſaid, it ſhall and may be lawful to and for any

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such Person or Persons, by Petition to the Lord Chancellor, Lord Keeper, or Commissioners, for hearing Causes, in the High Court of Chancery, in this Kingdom, for the Time being, at any Time within the Space of Thirty Days after such Judgment or Determination pronounced, to Appeal from such Judgment or Determination; which said Lord Chancellor, Lord Keeper, or Commissioners, shall Examine, hear, and Determine the same, in a Summary Way, within six Kalendar Months, after the preferring of such Petition of Appeal; and shall, and may, in Case such Appeal shall appear to be Frivolous or Vexatious, Order and Decree, such Costs as in his or their Discretion shall seem reasonable, to the Person or Persons Aggrieved, by such Frivolous or Vexatious Appeal, and the Judgment or Decree of such Lord Chancellor, Lord Keeper, or Commissioners, as aforesaid; and also, the Judgment or Determination of the said Commissioners, appointed by this Act, or any Three or more of them, if not Reversed by the said Lord Chancellor, Lord Keeper, or Commissioners, shall be Final and Conclusive to all Persons concerned; and that where such Cost shall be Ordered or Decreed, such and the like Process shall Issue for the Recovery thereof, against the Person or Persons against whom such Costs shall be Ordered or Decreed, as Issue for the

Recovery

Recovery of Costs, under Decrees made in the said High Court of Chancery.

And be it further Enacted by the Authority aforesaid, That the said John Willcocks, John Dawson, and Richard Brewer, and the Heirs, Executors, and Administrators, of any or either of them, and every Creditor who shall, upon his or her Claim, obtain an Adjudication for any Sum of Money, out of any of the said Estates, hereby Vested in the said Assignees, shall, at all seasonable Times, have free Resort to the said Accounts, so returned to the said Commissioners, or any Three or more of them, or to the said Register or Registers, by the said Assignees, or Two of them, and Inspect the Same, as often as he, she, or they, shall think fit, and may at their own Expence, take Copies thereof.

And be it further Enacted by the Authority aforesaid, After the said Claims of the said several and respective Creditors, of the said Joseph Fade, John Willcocks, and John Dawson, are finally Settled and Adjusted, that the said Commissioners, or any Three or more of them, may, from Time to Time by Writing under their Hands, Order and Direct the said Assignees, or Two of them, to make a rateable Distribution of the Money by them Raised and Received, out of the said respective Estates, of the said Joseph Fade, John Willcocks, and John Dawson, a-

mongst the said Creditors, in Proportion to the Sums Adjudged to them respectively, according to the Directions herein Mentioned; and that the said Assignees, or Two of them, do and shall, with all convenient Speed, after such Order served on them, Distribute, according to the Directions aforesaid, the Money Raised and Received by the said Assignees, or Two of them, by Virtue of this Act, out of the said Estates, of the said Joseph Fade, John Willcocks, and John Dawson, which at the Time of such Order made, shall be in their Hands; except so much thereof, as shall be necessary for the carrying on of the Trusts reposed in the said Assignees.

Provided allways, And be it Enacted by the Authority aforesaid, That where any Creditor or Creditors of the said Bank lately kept by the said John Willcocks, and John Dawson, hath or have Received, since the said Third Day of March, One thousand seven hundred and fifty five, any Sum or Sums of Money towards the Satisfaction of their Demands, such Creditor or Creditors, shall not be Intitled to receive, or have any Sum or Sums towards the Discharge of what remains Due to them respectively, until all the other Creditors of the said Bank lately kept by the said John Willcocks, and John Dawson, who are of the same Class or Degree, shall Receive out of the Estates hereby

hereby Vested in the said Assignees, for the Payment of the Creditors of the said Bank lately kept by the said John Willcocks and John Dawson, as much as will make the several Creditors of the said Bank lately kept by the said John Willcocks and John Dawson, equal in Regard to the Satisfaction of their Demands, making an Allowance for the Sums paid or Satisfied to the Creditors of the said Bank lately kept by the said John Willcocks and John Dawson, since the said Third Day of March, One thousand seven hundred and fifty five: It being the true Intent and Meaning of this Act, that the Persons who were Creditors of the said Banks lately kept by the said John Willcocks and John Dawson, on the Third Day of March, One thousand seven hundred and fifty five, except those who were Debtors of the said Bank, and had in their Custody the Notes of the said Bank on the said Third Day of March, One thousand seven hundred and fifty five, should, according to their respective Classes and Degrees, be equally paid and Satisfied in Proportion to the Sums to them respectively Due on the said Third Day of March, One thousand seven hundred and fifty five.

And be it Enacted by the Authority aforesaid, That the said Commissioners, or any Three or more of them, shall, in their Adjudications on the Claims of the said Creditors, take Notice of what was Due to

the said Creditors respectively, on the said Third Day of March, One thousand seven hundred and fifty five, and how much thereof has been since paid; And that the said Commissioners, or any Three or more of them, shall have such Powers of Examining Claimants and Witnesses concerning the same, as are herein before given to them, concerning the Examination of Claimants and Witnesses in relation to the Matters of the Claim.

And be it further Enacted by the Authority aforesaid, That no Outlawry already or hereafter to be Obtained, in any personal Action against the said John Willcocks, John Dawson, and Richard Brewer, or any or either of them, shall in any sort, Stop, Hinder, or Delay the Recovery of any Debt or Debts hereby Vested in the said Assignees; and that no Outlawry, Obtained in any personal Action against the said John Willcocks, John Dawson, and Richard Brewer, or any or either of them, since the said Third Day of March, One thousand seven hundred and fifty five, or any Thing done in Consequence thereof, shall, in any sort Prejudice or Affect the Estates of the said John Willcocks, John Dawson, and Richard Brewer, or any or either of them, hereby Vested in the said Assignees.

And be it further Enacted by the Authority aforesaid, That, notwithstanding any Thing contained

contained in this Act to the Contrary, all Suits and Actions heretofore instituted or brought by the said John Willcocks, and John Dawson, and Richard Brewer, or any or either of them, for the Recovery of any Debt or Debts Due to them, or any or either of them, shall and may be carried on by the said Assignees, or Two of them, in the Names or Name of the said John Willcocks, John Dawson, and Richard Brewer, or any or either of them, his or their Executors or Administrators, in such Sort, Manner and Form, as the same might have been Prosecuted or Carried on, in Case this Act had never been Made.

Provided allways, And be it Enacted by the Authority aforesaid, That in Case it shall happen that Two or more of the said Commissioners shall die, That it shall and may be lawful to and for the Survivors of the said Commissioners, or any Three or more of them, by Writing under their Hands and Seals, to be Lodged with their said Register or Registers, to Nominate and Appoint Commissioners in the Room and Stead of the Commissioners who shall so happen to Die; and that such Commissioners, who shall be so Nominated as aforesaid, shall, from the Time of such Nomination, be deemed and taken as Commissioners, to all Intents and Purposes, as fully as if they had been Named Commissioners in this Act, and shall, from the Time of taking the

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Oath herein before Directed to be taken by the said Commissioners, and which Oath is to be Administred to them, in Manner aforesaid, have such Powers and Authorities, touching and concerning the several Matters in this Act mentioned, as are Vested by this Act in any of the Commissioners herein before named; and that such Power of Nomination of new Commissioners, as aforesaid, in the like Case, as is herein before Provided for, be, and is hereby Vested in the Survivors of the Commissioners, herein before named, and in the other Commissioners to be Nominated in manner aforesaid, and in pursuance of this Act, until the same shall be fully Executed.

Provided always, And be it Enacted by the Authority aforesaid, That in case one or more of the said Assignees herein before Named shall Die, that it shall and may be Lawful to and for the Survivors and Survivor of the said Assignees, by Writing under his or their Hands and Seals, to be Lodged with the said Register or Registers of the said Commissioners, to Nominate and Appoint an Assignee or Assignees in the Room and Stead of the Assignee or Assignees so Dying, and that such Assignee or Assignees, who shall be so Nominated as aforesaid, shall from the Time of such Nomination, be deemed and taken to be an Assignee or Assignees, to all Intents and Purposes, as if he, or they, had been named

named Aſſignee or Aſſignees in this Act, and ſhall have ſuch powers and Authorities, touching and concerning the ſeveral Matters in this Act mentioned, as are by this Act Veſted in any of the Aſſignees herein before Named; and that ſuch power of Nomination of new Aſſignee or Aſſignees as aforeſaid, in the like Caſe, as is herein before Provided for, be, and is hereby Veſted in the Survivors and Survivor of the Aſſignees herein before named, and in the other Aſſignee and Aſſignees to be Nominated in manner aforeſaid, and in purſuance of this Act, until the ſame ſhall be fully Executed.

And be it further Enacted by the Authority aforeſaid, That this Act, and all and every the Clauſe and Clauſes therein Contained, and every Part thereof, ſhall be Deemed and taken Notice of in all Courts of Law and Equity in this Kingdom, as a Publick Act of Parliament.

Provided allways, And be it Enacted by the Authority aforeſaid, That nothing in this Act ſhall extend, or be conſtrued to extend, to affect any of the Legatees, or Deviſees of the ſaid Joſeph Fade (the ſaid John Dawſon excepted) the ſaid Legatees and Deviſees, Claiming and Proving their Demands and Rights, in ſuch manner, as herein before Directed, Concerning the Creditors of the ſaid Joſeph Fade.

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Provided also, That nothing in this Act Contained, shall Extend, or be Construed to Extend, to affect Mary Brewer, Wife of the said Richard Brewer, or to Bar, Defeat, or Prejudice, any Right, Claim, Title, or Interest, which the said Mary hath, or may have, to any Part of the Real, Freehold, or Personal Estates of the said Richard Brewer, under certain Articles bearing Date the Day of October, One thousand seven hundred and forty one, alledged to be Entered into, and Perfected be the said Richard Brewer of the first Part, Mary Manghan, Spinster, of the second Part, and Mary Manghan, Widow, of the third Part, Previous to, and in Consideration of, his Inter-Marriage with the said Mary, the said Mary Brewer, Proving her Rights and Demands, in such Manner as is herein before Directed, Concerning the Creditors of the said Joseph Fade, John Willcocks and John Dawson, and Richard Brewer, respectively.

And whereas, there were some Dealings between the said Richard Brewer and Robert Birch, of the City of Dublin, Merchant, upon the Foot of which the said John Willcocks and John Dawson, on behalf of themselves and their Creditors, made several Demands against the said Robert Birch:

And

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And whereas the said John Willcocks and John Dawson, have, by an Indenture Dated the Twenty fourth Day of March, One thousand seven hundred and fifty six, and Entered into between the said John Willcocks, and John Dawson, on Behalf of themselves and their Creditors, of the one part, and the said Robert Birch, of the other part, come to an Agreement, relative to the said Demands;

Be it Enacted by the Authority aforesaid, That nothing herein Contained, shall be Construed, Deemed, or Taken in any Sort, to Impeach, Prejudice, Weaken, or Affect the said Indenture, beating Date the Twenty fourth Day of March, One thousand seven hundred and fifty six, Made and Executed, by and between the said John Willcocks and John Dawson, on Behalf of themselves and their Creditors, of the One part, and Robert Birch, of the City of Dublin, Merchant, of the other part; but that the said Indenture, and all the Agreements, Covenants, Provisoes, and Clauses therein Contained, shall be, and are hereby Declared to be, of full Force and Effect, according to the true Intent and Meaning of the said Indenture; this Act, or any former Law to the Contrary, in any wise, notwithstanding.

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Saving allways to the King's Most Excellent Majesty, and to all and every other Person and Persons, Bodies Politick and Corporate (except such as Claim or Derive under the said Joseph Fade, John Willcocks, John Dawson, and Richard Brewer, or any or either of them, and whose Rights are herein before Saved) all such Right, Title, and Interest, as they or any of them might have had, in Case this Act had never been made.

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CHAP. XXIII.

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ACT

FOR

Relief of the Creditors of the Banks lately kept in the City of *Dublin*, by *Theobald Dillon* and Son; by *Thomas Dillon* and Company; and by *Thomas Dillon*, *Richard Ferral*, and Company.

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DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Most Excellent Majesty, at the *King's Arms* and *Two Bibles* in *Essex-Street*. M.DCC.LVI.

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ACT

FOR

Relief of the Creditors of the Banks lately kept in the City of *Dublin* by *Theobald Dillon* and Son; by *Thomas Dillon*, and Company; and by *Thomas Dillon*, *Richard Ferral*, and Company.

CHAP. XXIII.

CHAP. XXIII.

WHEREAS Theobald Dillon, late of the City of Dublin, Gentleman, Deceased, did for several Years carry on the Trade or Business of a Banker, in the City of Dublin, under the Stile or Description of Theobald Dillon, and Son, and Died on or about the Seventeenth Day of May, in the Year One thousand seven hundred and thirty six, and all the said Bank

Debts Due and Owing at the Time of the Death of the said Theobald Dillon, have been since paid by and with the Money deposited in the Bank, kept by Thomas Dillon, his Son, and only acting Executor:

And whereas the said Thomas Dillon, from the said Seventeenth Day of May, in the Year One thousand seven hundred and thirty six, to the First Day of January, in the Year One thousand seven hundred and forty eight, did carry on the Trade or Business of a Banker, in the City of Dublin, under the Stile or Description of Thomas Dillon, and Company; and in Order to enlarge the Credit of the said Bank, on the said First Day of January, in the Year One thousand seven hundred and forty eight, took Richard Ferral of the City of Dublin, into Partnership with him; and the said Thomas Dillon, and Richard Ferral, from the said First Day of January, in the Year One thousand seven hundred and forty eight, to the Sixth Day of March, in the Year One thousand seven hundred and fifty four, did carry on the Trade or Business of Bankers, in the City of Dublin, under the Stile or Description of Thomas Dillon, Richard Ferral, and Company; and several large and considerable Sums of Money were from Time to Time deposited in the said respective Banks, for which, Promissory Notes and accountable Receipts were Issued; and the said Thomas Dillon, and Richard Ferral, Failed in their

their Credit, and ſtopped Payment on the ſaid Sixth Day of March, in the Year One thouſand ſeven hundred and fifty four, and have ever ſince abſconded from their Creditors:

And whereas the ſaid Richard Ferral brought no Stock into the ſaid Partnerſhip, but many Perſons by his being a Partner in the ſaid Bank, were induced to give Credit to, and Accept the Notes of, the ſaid Bank in Payments:

And whereas it was agreed between the ſaid Thomas Dillon and Richard Ferral, That the ſaid Thomas Dillon ſhould Indemnify the ſaid Richard Ferral, from all Loſſes, Demands, Charges or Coſts, for, or on Account of the Carrying on the ſaid Buſineſs:

And whereas the Creditors of the ſaid Banks, are many in Number, and it will be very Difficult and Expenſive, for them to Obtain proper Relief, according to the Ordinary Courſe of Proceedings in the Courts of Law or Equity; and the the publick Credit of this Kingdom may be greatly Affected if a ſpeedy Remedy be not provided;

Wherefore, for the preventing multiplicity of Suits, and for the more Speedy and Effectual Relief of the ſaid Creditors,

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and for the providing a Fund for the Payment of the Debts due to them, and in Order thereto that the Estates Real and Personal of the said Theobald Dillon, Thomas Dillon, and Richard Ferral, may be applied in satisfaction of their Debts, in such manner as herein after is mentioned;

At the humble Petition of Your Majesty's Subjects, Robert Butler Butler, Esquire, a Minor, by his Guardian John Butler, Esquire, John Everard, Esquire, Alexander Eustace, Esquire, and Lawrence Misset, Gentleman, in Behalf of themselves, and several others, Creditors of the said Banks;

Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That Theobald Wolfe, Christopher Comyn Gardiner, and Sidenham Foulke, Esquires, John Gaven and Charles Howison, of the City of Dublin, Merchants, or any Three or more of them, or of the Survivors of them, be, and are hereby appointed Commissioners to hear and Determine the several Claims, and to Settle and Adjust the several Accounts, relating to or Concerning the Estates Vested in the Assignees herein after Named and Appointed, and to make such Orders, Adjudications and Determinations, as they, the said Commissioners, or

or any Three or more of them, are hereby Authorized and Impowered to make Concerning the same. CHAP. XXIII.

And be it Enacted by the Authority aforesaid, That and all and every Person and Persons whatsoever, who have, or Claim to have, any Demand upon, or out of all, or any the Real or Personal Estates, either Separate or in Partnership, Vested in the Assignees, hereinafter Named and Appointed as herein after mentioned, by Mortgage, Judgment, Statute Staple, or Merchant Recognizance, Bond, or other Specialty, or by Notes, or Bills of Exchange, or other simple Contracts, or any other Ways, as Creditors for Money, really and Bona fide lent, shall and may, on or before the First Day of December, in the Year of our Lord One thousand seven hundred and fifty six, Enter and Exhibit his, her, or their Claim or Claims, before the said Commissioners, or any Three or more of them, setting forth their several and respective Demands, and the Nature thereof, and how much, he she, or they Claim or Claims to be Due to them, respectively; which Claims, they the said Commissioners, or any Three or more of them, are hereby Impowered to Receive, and to Examine, and Determine the same, in a Summary Way, before the First Day of January, One thousand seven hundred and fifty eight; except such of them, as shall be Agreed or Compounded, by and between

the said Claimants, and the Assignees hereinafter Named and Appointed, or any Two of them; and for the better Executing the said Trust in the said Commissioners reposed;

Be it further Enacted by the Authority aforesaid, That the said Commissioners, or any Three, or more of them, shall, and may Examine upon Oath, or being of the People called Quakers, upon Solemn Affirmation, all and every such Witness and Witnesses as shall be Produced before them for or against any such Claimant or Claimants, and at the Request of any of the Parties Concerned, may, by Writing under the Hands of the said Commissioners, or any Three or more of them, order any Witness or Witnesses, to Appear and give their Testimony before them, and may likewise Examine all and every such Claimant or Claimants, upon Oath, or being of the People called Quakers, upon Solemn Affirmation, concerning the Truth of the Matters contained in their said respective Claims, or any other Matter relating thereunto, which said Oath or Oaths, Affirmation or Affirmations, they, the said Commissioners, or any Three or more of them, are hereby Impowered to Administer, as well as to the said Witness or Witnesses, as to the said Claimant or Claimants; and that the said Commissioners, or any Three or more of them, shall, and may take Affida-

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vits and Administer Oaths touching or concerning the Service of their Orders, Notices, and Summonses, and shall and may State and Settle Accounts with the said several Creditors, or any of them, touching or concerning his, her, or their Claim or Claims and Demands, and the several Sums which shall then have been by them, or any of them, had or received, for or on Account of their said Debts, respectively, and thereupon Adjudge and Determine how much is then really Due and Owing to such Creditor or Creditors, so claiming as aforesaid.

Provided allways, And be it further Enacted by the Authority aforesaid, That if the said Claimant or Claimants, or any of them, or any other person or persons, shall think him, her, or themselves Aggrieved by any Judgment or Determination of the said Commissioners, or any Three or more of them, of or concerning any Debt or the Quantum thereof, or the Stating or Settling the Account thereof, or any other Judgment Determination of the said Commissioners, or any Three or more of them, it shall and may be lawful to and for such Person or Persons, by petition to the Lord Chancellor, Lord Keeper, or Commissioners for hearing Causes in the High Court of Chancery, of this Kingdom, for the Time being, at any Time within the Space of Thirty one Days after such Judgment or

Determination Pronounced, to Appeal from such Judgment or Determination, which Appeal the said Lord Chancellor, Lord Keeper, or Commissioners for hearing Causes in the said Court of Chancery, shall Examine, Hear and Determine, in a summary Way, before the First Day of January, One thousand seven hundred and fifty nine, and shall and may, in Case such Appeal shall Appear to be frivolous or vexatious, Order and Decree such Costs, as in his or their Discretion shall seem reasonable, to the Person or Persons Aggrieved by such frivolous or vexatious Appeal; and the Judgment or Decree of such Lord Chancellor or Lord Keeper, or Commissioners for hearing Causes in the said Court of Chancery, as aforesaid; and also, the Judgment or Determination of the said Commissioners, hereby Appointed, or any Three or more of them, if not Reversed by the said Lord Chancellor, Lord Keeper, or Commissioners for hearing Causes in the said Court of Chancery, shall be final and conclusive to all Persons conterned.

And be it further Enacted by the Authority aforesaid, That where Costs shall be Ordered and Decreed, as aforesaid, such and the like Process shall Issue for the Recovery thereof, against the Person or Persons against whom such Costs shall be Ordered and Decreed, as Issue for the Recovery of Costs under Decrees made in the said High Court

Court of Chancery; and that where such Costs shall be Awarded or Decreed to the said Thomas Dillon and Richard Ferral, or either of them, or to any other Person or Persons on Account of the Estates of them, or either of them, hereby Vested in the Assignees herein after Named, such Costs, when Recovered, shall be Deemed and Considered as part of the Effects of the said Thomas Dillon and Richard Ferral, respectively, and be Applied to the Purposes herein after Directed, concerning their respective Estates. CHAP. XXIII.

And be it further Enacted by the Authority aforesaid, That all and every the Creditor and Creditors aforesaid, who shall not, on or before the First Day of December, which shall be in the Year of Our Lord One thousand seven hundred and fifty six, Exhibit his, her or their Claim or Claims before the said Commissioners, as aforesaid, and whose Claim or Claims shall not be Determined by the said Commissioners, or any three or more of them, before the said First Day of January, One thousand seven hundred and fifty eight, or in Case of an Appeal to the said Lord Chancellor, Lord Keeper, or Commissioners for hearing Causes in the said High Court of Chancery, in this Kingdom, before the said First Day of January, One thousand seven hundred and fifty nine, shall be, and are hereby Declared and Adjudged to be utterly Barred of any Remedy for Recovery of his, her, or their Demand or Demands, either at Law or in Equity, out of, or upon

all or any of the Estate or Effects, hereby Vested in the Assignees herein after mentioned.

Provided allways, And be it Enacted by the Authority aforesaid, That it shall and may be lawful, to and for any Person or Persons, residing or being out of this Kingdom, to make their Claim or Claims pursuant to this Act, at any Time or Times, on or before the First Day of May, One thousand seven hundred and fifty seven; which Claims they the said Commissioners, or any Three or more of them, are hereby impowered to Receive, and to Examine and Determine the same in a Summary Way, before the First Day of May, One thousand seven hundred and fifty eight; except such of them as shall be Agreed or Compounded, by and between the said Claimants, and the Assignees herein after Named, or any Two of them; and that all Claims for Infants, pursuant to this Act, shall and may be made by their Fathers or Guardians, or any other Person or Persons on their Behalf; and that all such Claims of Femes Covert, shall be made by their Husbands; and all such Claims of Madmen, Ideots or Lunaticks, by such Person or Persons under whose Care or Custody they are, or shall be, at the Times of Exhibiting such Claims.

And be it further Enacted by the Authority aforesaid, That all and every such Person and Persons, residing or being out of

of this Kingdom, ſuch Infants, Ideots, Lunaticks, and Femes Covert, who ſhall not, on or before the ſaid Firſt Day of May, which ſhall be in the Year of our Lord, One thouſand ſeven hundred and fifty ſeven, Exhibit his, her, or their Claim or Claims, before the ſaid Commiſſioners, as aforeſaid, ſhall be, and are hereby Declared and Adjudged to be, utterly Barred of any Remedy for Recovery of his, her, or their Demand or Demands, either at Law or in Equity, out of or upon all or any of the Eſtates or Effects hereby Veſted in the Aſſignees, herein after Named. CHAP. XXIII.

And be it Enacted by the Authority aforeſaid, That due Notice ſhall be given of the Time limited by this Act, for the Exhibiting ſuch Claims and Appeals, by the ſaid Commiſſioners, or any Three or more of them, before the Firſt Day of July, One thouſand ſeven hundred and fifty ſix, by Poſting an Advertiſement in the Tholſel, and Four-Courts of Dublin, and cauſing the Same to be Publiſhed from Time to Time, for Three Weeks before the ſaid Firſt Day of July, One thouſand ſeven hundred and fifty ſix, in the Dublin Gazette.

And in regard the Aſſignees herein after Named, may not have any of the Title Deeds of all or any of the Lands, Tenements, Hereditaments, and Premiſſes, by this Act, veſted in the Aſſignees herein

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herein after Named, nor the Counterparts of all or any of the Leases, Contracts or Agreements, by which the same or any of them, is or are held and Enjoyed:

And as it may be necessary for taking the said Accounts, and Adjusting and Determining the said Claims herein before Directed, that all the Books, Papers, and Writings, relating to the said Accounts and Claims, should be Produced, before the said Commissioners: And in Case of an Appeal, before the said Lord Chancellor, Lord Keeper, or Commissioners, for hearing Causes in the Court of Chancery, aforesaid, for the Time being;

Be it further Enacted by the Authority aforesaid, That all and every such Person or Persons, as has or have any Lease or Leases, or any Agreement for any Lease or Leases, of all or any Part of the said Lands, Tenements, Hereditaments and Premisses, by this Act vested in the Assignees, herein after Named, Made by the said Theobald Dillon, Thomas Dillon, and Richard Ferral, respectively, or any Person or Persons under whom they respectively Derive, at any Time before the said Sixth Day of March, One thousand seven hundred and fifty four, shall, within Six Months next after publick Notice shall for that Purpose be Posted up at the Tholsel, and Four Courts of Dublin, and Published in the Dub-

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lin Gazette, bring in and Depoſite with ſuch Commiſſioners, or any Three or more of them, as by ſuch Notice ſhall, for that Purpoſe, be Nominated and Appointed, their ſaid ſeveral Leaſes and Agreements, and Prove the ſame, and the Time or Times of the Perfection thereof; and that the ſaid Commiſſioners, or any Three or more of them, ſhall and may cauſe true Copies of all and every ſuch Leaſe and Leaſes, Contracts and Agreements, as ſhall be ſo brought in, Depoſited, and Proved, to be made on Parchment; And that they the ſaid Commiſſioners, or any Three or more of them, ſhall, under their Hands and Seals, Atteſt the ſame, reſpectively, to be true Copies of the ſaid Originals, which ſhall be ſo Lodged with them; and ſhall alſo Indorſe on the ſaid Original Leaſes, or Agreements, reſpectively, that ſuch Copies were taken, and the Day and Year of taking the ſame; which Indorſement ſhall alſo be Subſcribed by any Three or more of the ſaid Commiſſioners, as aforeſaid; and that as ſoon as ſuch Copies ſhall be taken, and Indorſements made, the ſaid Original Leaſes or Agreements ſhall be given back and Reſtored to the Perſons, reſpectively, who ſhall have brought in, Depoſited and Proved the ſame, as aforeſaid: And in Caſe any Perſon or Perſons ſhall neglect, or refuſe to bring in, Depoſite, and Prove to the Satisfaction of the ſaid Commiſſioners, or any Three or more of them, his,

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her, or their Lease or Leases, Agreement or Agreements, as aforesaid, all and every such Lease and Leases, Agreement and Agreements, is and are hereby Declared to be Null and Void, as against the Assignees herein after Named, and all and every Person and Persons Claiming or Deriving, or to Claim or Derive, by, from, or under them, or any Two of them, and all and every such Copy and Copies as shall be made of any such Lease, Leases or Agreements, and shall be attested by the said Commissioners, or any Three or more of them, as aforesaid, shall be by the said Commissioners, or any Three or more of them, delivered to the Assignees herein after Named, or any Two of them, and shall, in all or any of the Courts of Law or Equity in this Kingdom, be Deemed and Taken to be as full and good Evidence of such Leases or Agreements, as if the Originals had been Produced, Proved and Given in Evidence, on the Part and Behalf of the Assignees herein after Named, or any Two of them, or of any Person or Persons Deriving by, from or under them, or any Two of them; any Thing herein before Contained, or any Law or Usage to the Contrary thereof, in any wise, notwithstanding.

Provided allways, That if any Doubt shall arise, touching the Reality of any such Lease or Agreement for a Lease, so to be brought in and Deposited with the said Commissioners, then the Person or

Persons

Perſons Claiming ſuch Leaſe, or the Benefit of ſuch Agreement, ſhall Exhibit One or more Claim or Claims before the ſaid Commiſſioners, on or before the Firſt Day of March, One thouſand ſeven hundred and fifty ſeven, which Claims the ſaid Commiſſioners are hereby Authorized to Receive, and to Determine the Reality of ſuch Leaſe or Leaſes, Agreement or Agreements, ſo Claimed as aforeſaid, with ſuch Right of Appeal, as aforeſaid, to the Parties concerned.

And be it further Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Three or more of them, by Writing under their Hands and Seals, to Order any Perſon or Perſons who ſhall have any of the Title Deeds, belonging to, or any of the Securities for, Debts, Due or Owing unto the ſaid Theobald Dillon, Thomas Dillon, and Richard Ferral, any or either of them, or wherein they, any or either of them, are Intereſted, to bring in upon Oath, or being of the People called Quakers, upon Solemn Affirmation, (which Oath and Affirmation, the ſaid Commiſſioners, or any Three or more of them, are hereby Impowered to Adminiſter) and Depoſite ſuch Deed or Deeds, Security or Securities with the Regiſter to be Appointed by Virtue of this Act; but not to be Inſpected, but by the Aſſignees, herein after named, or by the Order

of the ſaid Commiſſioners, or any Three or more of them.

And be it further Enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Three or more of them, ſhall and may, by Writing under their Hands and Seals, Order any Perſon or Perſons who ſhall have in their Cuſtody or Power any Books, Papers, or Writings, which the ſaid Commiſſioners, or any Three or more of them, ſhall think neceſſary to be Produced, in order to the Settling of ſaid Accounts, and Adjuſting the ſaid Claims hereby Directed, to Produce upon Oath, or being of the People called Quakers, upon Solemn Affirmation, which Oath and Affirmation, the ſaid Commiſſioners, or any Three or more of them, are hereby Impowered to Adminiſter (before the ſaid Commiſſioners, or any Three or more of them,) and to Depoſite with the ſaid Regiſter all ſuch Books, Papers, and Writings, as aforeſaid; and that all and every Perſon and Perſons intereſted in the ſaid Claims and Accounts, ſhall have free Liberty to Reſort to the ſaid Books, Papers, and Writings, in the Hands of the ſaid Regiſter, and to make Uſe of the ſame, and to take Copies thereof, at their own Expence, as Occaſion ſhall require.

And be it further Enacted by the Authority aforeſaid, That the ſaid Commiſſioners,

or

or the major part of them, by Writing under their Hands and Seals, may appoint One or Two person or persons, to Officiate under them, during their pleasure, in the Execution of this Act, in the place or Capacity of a Register or Registers, who shall keep Books, and make and keep regular Entries, of all their Proceedings in the Execution of this Act; and, in particular, of all the said Claims and Adjudications, and of all Matters relating thereunto; and to Audite, State, Settle and Report the Accounts of the aforesaid Creditors, and the Accounts which the said Assignees, herein after named, or any Two of them, shall, pursuant to this Act, return to the said Commissioners, or any Three or more of them, or to the said Register or Registers; and that the said Register or Registers, shall have such Sallary or Sallaries, not exceeding the Yearly Rate of One hundred Pounds for their said Service or Services, out of some part of the Money arising out of the Real or personal Estates of the said Theobald Dillon, Thomas Dillon, and Richard Ferral, as the said Commissioners, or any Three or more of them, shall, by Writing under their Hands and Seals, Direct and Appoint, and which the said Assignees, herein after named, or any Two of them, are hereby Impowered and Directed to Pay.

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And be it further Enacted by the Authority aforesaid, That the said Thomas Dillon and Richard Ferral, do and shall, respectively, on or before the First Day of December, One thousand seven hundred and fifty six, Deliver in upon Oath, to the said Commissioners, or any Three or more of them (which said Oath, the said Commissioners, or any Three or more of them, are hereby Impowered and Authorized to Administer) full, true, exact, and particular Accounts, of their respective Estates, Real and Personal, hereby Vested, or intended to be Vested, in the Assignees, herein after named, which they the said Thomas Dillon and Richard Ferral, or either of them, or any Person or Persons in Trust for them, or either of them, were or was Seized, possessed of, Interested in, or Intitled unto, on the sixth Day of March, in the Year One thousand seven hundred and fifty four or at any Time since, without any wilful Concealment or Omission therein (the wearing Apparel of the said Thomas Dillon and Richard Ferral, their Wives and Children only excepted;) And that the said Thomas Dillon and Richard Ferral, do and shall, respectively, upon Notice to them respectively given by the said Commissioners, or any Three or more of them, within ten Days after such Notice Served, Deliver in to the said Commissioners, or any Three or more of them, all Mortgages, Bills, Bonds, Notes, and Securities for Money, which belonged to the said Banks,

or

or any, or either of them, or to the said Thomas Dillon and Richard Ferral, or either of them, or to the said Theobald Dillon, Thomas Dillon and Richard Ferral, in their separate Rights, and all Books of Accounts in their Custody or Power, respectively; and that it shall and may be Lawful, to and for the said Commissioners, or any Three or more of them, to Examine from Time to Time, and as often as they shall see Occasion, the said Thomas Dillon and Richard Ferral, upon Oath, which Oath, the said Commissioners, or any Three or more of them, are hereby Impowered to Administer, concerning the Estates, Real and Personal, hereby Vested, or intended to be Vested, in the Assignees herein after named; and that such of them, the said Thomas Dillon and Richard Ferral, as shall Refuse or Neglect to give in such Account as aforesaid, or shall be guilty of any wilful Concealment, or Omission therein, or shall refuse to be Examined before the said Commissioners, or any Three or more of them, touching or concerning the said respective Estates, Real and Personal, or any the Matters aforesaid, or, upon such Examination, shall be wilfully Forsworn, or shall wilfully Neglect or Refuse to bring in and Deposite such Securities, and Books of Accounts, as aforesaid, shall be adjudged guilty of Felony without Benefit of Clergy.

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And be it further Enacted by the Authority aforesaid, That upon the said Thomas Dillon and Richard Ferral, respectively Delivering, or giving in such Account, as aforesaid, to the said Commissioners, or any Three or more of them, and upon their respectively submitting to be Examined, as aforesaid, to the Satisfaction of the said Commissioners, or any Three or more of them, and upon their respectively Delivering, or causing to be Delivered to the said Commissioners, or any Three or more of them, all their respective Estates and Effects, or so much thereof, as, at the Time of such Examination, shall be in their respective Custody or Power, to be applied to the Uses of this Act; and upon their respectively Delivering, or causing to be Delivered, to the said Commissioners or any Three or more of them, all their respective Title Deeds and Securities for Money, which at the Time of such Examination shall be in their respective Custody or Power; and upon their making, respectively, a true and faithful Discovery, to whom, upon what Account, and for what Consideration, the Residue of their said respective Estates and Effects hath been Disposed of; then, in such Case, the said Commissioners, or any Three or more of them, are hereby Impowered and Required to Certify under their Hands and Seals, the Conformity to the Directions of this Act, of such of them, the said Thomas Dillon

Dillon and Richard Ferral, who shall so Conform as aforesaid; and that such of them the said Thomas Dillon and Richard Ferral, who shall obtain such Certificate of such Conformity, as aforesaid, and all such Estate as the Person obtaining such Certificate shall have, Purchase, or Acquire, after the Obtaining such Certificate, shall be absolutely Freed and Discharged of and from all Sum and Sums of Money, Due and Owing by them, or either of them, to any Person or Persons whatsoever, at or before the Time of Obtaining such Certificate; and also, be Freed and Discharged of and from all Suits, Outlawries, Claims and Demands whatsoever, had, made or Commenced, or to be had, made or Commenced by any of their Creditors, against them, or either of them, or against their, or either of their Persons or Estates, Real or Personal, for or on Account of any Sum or Sums of Money, Due or Owing by them, or either of them, at or before the Time of obtaining such Certificate. CHAP. XXIII.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the said Commissioners, or any Three or more of them, to Send for and Call before them, by such Warrant, Summons, or other Sufficient Ways or Means, as they in their Discretion shall think fit, all and every such Person and

Persons, as they shall be informed, and believe can give any Account or Information, touching all, or any, or either of the Estates, Real or Personal, hereby Vested, or intended to be Vested, in the Assignees, herein after named, and to Examine as well by Word of Mouth, as on Interrogatories in Writing, all and every Person and Persons, duly Summoned before, or present at, any Meeting of the said Commissioners, or any Three or more of them, upon Oath, or being of the People called Quakers, upon Solemn Affirmation, which Oath and Solemn Affirmation, the said Commissioners, or any Three or more of them, are hereby Impowered to Administer, touching all Matters relating to all, or any, or either of the said Estates, hereby Vested, or intended to be Vested, in the Assignees herein after named; and also, to take down, and reduce into Writing, or cause to be taken down, and reduced into Writing, the Answers, or Verbal Examinations, of every such Person or Persons, had, or taken before them, as aforesaid; which Examinations so taken down, or reduced into Writing, the Party Examined shall and is hereby required to Sign and Subscribe; and that it shall and and may be Lawful to and for the said Commissioners, or any Three or more of them, to Settle and Adjudge such Sum and Sums of Money, as they, or any Three or more of them, shall think reasonable, to be paid to such Person and Persons

Summoned

Summoned to be Examined, as aforesaid, for his, her, or their Charges, out of such of the said Estates, as the Examination of such Person or Persons shall relate to, and that the Assignees herein after named, or any Two of them, shall out of such Estates respectively pay the Sum so adjudged, and shall be allowed the same thereout respectively.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons, duly Summoned as aforesaid, shall Neglect or Refuse to come and appear before the said Commissioners, or any Three or more of them, to be Examined as aforesaid, not having a Lawful Excuse, to be made known to and allowed by the said Commissioners, or any Three or more of them; or if any Person or Person present at any Meeting of the said Commissioners, or any Three or more of them, shall Refuse to Answer, or shall not fully Answer, to the Satisfaction of the said Commissioners, or any Three or more of them, all Lawful Questions put to Him, Her, or Them, by the said Commissioners, or any Three or more of them, as well by Word of Mouth as by Interrogatories, or shall Refuse to Sign and Subscribe His, Her, or Their Examinations so taken Down or Reduced into Writing, as aforesaid, not having a Reasonable Objection to be allowed by the said Commissioners, or any Three or more

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of them; or if any Person or Persons shall wilfully Disobey any of the Orders of the said Commissioners, or any Three or more of them, which by this Act they are in any Respect Impowered to make, it shall and may be Lawful for the said Commissioners, or any Three or more of them, to Issue their Warrants under their Hands and Seals, to such Person or Persons as they shall think fit, to Apprehend any Person or Persons for not Appearing when duly Summoned as aforesaid, or for Refusing to be Examined when present at any Meeting of the said Commissioners, or any Three or more of them, or for not Answering when on their Examination, to the Satisfaction of the said Commissioners, or any Three or more of them, or for Refusing to Sign or Subscribe His, Her, or Their Examination so Taken or Reduced into Writing, or for Disobeying any such Orders or Order as the said Commissioners, or any Three or more of them, shall make Pursuant to the Powers given them by this Act, and for carrying the same into Execution; and to commit such Person or Persons to any Prison in the City of Dublin, there to remain without Bail or Mainprize, until such Person or Persons shall Obey their said Orders, or shall in all respects touching the Execution of this Act, submit Him, Her, or Themselves to the said Commissioners, or any Three or more of them, and full Answer make to the Satisfaction of

the

the said Commissioners, or any Three or more of them, to all such Questions as shall be put to Him, Her, or Them, as aforesaid, and Sign and Subscribe such Examinations, as aforesaid, according to the true Intent and Meaning of this Act, or until He, She, or They shall be Discharged by the said Commissioners, or any Three or more of them, or by the Lord Chancellor, Lord Keeper, or Commissioners for Hearing Causes in the High Court of Chancery, in this Kingdom, for the Time being, upon Petition, setting forth the Nature of the Case; and which said Petition the Lord Chancellor, Lord Keeper, and Commissioners of the Great Seal, is and are hereby Impowered to Hear and Determine in a Summary Way.

And be it further Enacted by the Authority aforesaid, That if any Goaler or Keeper of any Prison, shall Wilfully suffer such Person or Persons to Escape from such Prison, or to go without the Walls, or the Doors of the said Prison, until He, She, or They be duly Discharged, as aforesaid, such Goaler or Keeper shall for such his Offence, being duly Convicted upon Indictment or Information, forfeit the Sum of One hundred Pounds, lawful Money of Great-Britain, to be paid to the Assignees herein after named, or any Two of them, and to be by them applied towards the

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Expence of passing and Executing this Act.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the said Commissioners, or any Three or more of them, to grant Protections to the said Thomas Dillon and Richard Ferral, respectively, during their respective Attendance on them, and on the Assignees herein after named, or any Two of them; which Protections shall be taken Notice of, and allowed in all Courts, and by all Sheriffs and other Officers of Justice, so that the persons of the said Thomas Dillon and Richard Ferral, or either of them, shall not, during such their Attendance, be liable to be Arrested on Account of any Debts, or by Virtue of any Writ, Process, Outlawry, or Execution, on Account of any Debt; and also, that it shall and may be Lawful to and for the said Commissioners, or any Three or more of them, to Order for the said Thomas Dillon and Richard Ferral, respectively, such Reasonable Allowance for their Trouble, during their Attendance in the Execution of this Act, as to the said Commissioners, or any Three or more of them, shall seem Reasonable; which Allowance shall be paid by the Assignees herein after named, or any Two of them, to the said Thomas Dillon and Richard Ferral respectively, out of their respective Estates, Real and personal, hereby Vested in the Assignees herein after named.

And

And be it further Enacted by the Authority aforesaid, That if any Person or Persons, who shall make Affidavit, or solemn Affirmation, or be Examined upon Oath, or solemn Affirmation, by, or before the said Commissioners, or any Three or more of them, in Pursuance of this Act, shall be wilfully Forsworn, and be thereof lawfully Convicted, such Person or Persons shall be subject and liable to the Penalties and Punishment inflicted by an Act passed in this Kingdom, in the Twenty eighth Year of the Reign of the late Queen Elizabeth, Intituled, An Act concerning wilful Perjury.

And be it further Enacted by the Authority aforesaid, That no Person herein before named a Commissioner, or who shall be hereafter nominated or appointed a Commissioner, or Register, pursuant to this Act, shall be capable of Acting as a Commissioner or Register, or Executing any of the Powers herein contained, until such Time as he shall have taken the Oath following (that is to say)

I A. B. do Swear, That I will Faithfully and Impartially, according to the best of my Skill and Knowledge, without any Respect, Favour, or Affection, to or for any Person, Execute the several Trusts reposed in me by an Act of Parliament, [Intituled, *An Act for the Relief of the Creditors of the Bank, lately kept in the City*

of Dublin, *by* Theobald Dillon *and* Son; *by* Thomas Dillon *and* Company; *and by* Thomas Dillon, Richard Ferral *and* Company;] and that without any Reward, save only such Reward as is provided and appointed by the said Act of Parliament; and that I am not to my Knowledge, or Belief, any Way Interested or Concerned, directly or indirectly, in any of the Claims, Demands, or other Matters or Things to be Settled, Adjudged, or Determined, by Virtue of the said Act of Parliament.

Which Oath shall be Administered to the said Commissioners, and Register, or Registers, respectively, by the Lord Chancellor, Lord Keeper, or Commissioners for hearing Causes in the said High Court of Chancery, for the Time being, who are hereby Impowered to Administer the same.

And for the Discovery of the Real and Personal Estates hereby Vested, or Intended to be vested, in the said Assignees;

Be it Enacted by the Authority aforesaid, That all and every Person, or Persons, who shall, at any Time after the Time herein before appointed, for the said Thomas Dillon and Richard Ferral, respectively, to make a full and true Discovery of their Real and Personal Estates, as aforesaid, voluntarily make a Discovery to the said Commissioners, or any Three or more of them, of any part of such Estates, not before come to the Knowledge of the said Commissioners, or any Three or more of them, or of the said Assignees,

signees, or any Two of them, shall have and receive Fifteen Pounds by the Hundred; and also, such further and other Reward, as the said Commissioners, or any Three or more of them, shall think fit, out of the first Produce of such Estate, which shall be Recovered on such Discovery, which shall be paid to the Person or Persons so Discovering the same, by the said Assignees, or any Two of them, and the same shall be allowed to the said Assignees, as a good Payment out of such Estate.

And be it further Enacted by the Authority aforesaid, That all and every Person and Persons who already hath or have Accepted of any Trust, or Trusts, of, or in all or any the Real and Personal Estates of the said Thomas Dillon and Richard Ferral, or either of them, or wherein they, or either of them, are, or is Interested, and shall wilfully Conceal the same, and shall not, on or before the first Day of March, One thousand seven hundred and fifty seven, truly Discover and Disclose such Trust and Estate in Writing, to the said Commissioners, or any Three or more of them, shall be liable to, and hereby stand chargeable with, double the Value of the Real or Personal Estates or Effects so concealed, to be recovered by Action of Debt in any of his Majesty's Courts of Record at Dublin, by the said Assignees, or by any Two of them, or by any Person or Persons to be Nominated

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ed or Appointed by them, or any Two of them, to Sue for the same, which when recovered, shall be Deemed and taken to be part of the Estates so concealed, and shall be applied to the same Uses and Purposes as such concealed Estate is by this Act directed or intended to be applied; any Thing herein contained to the Contrary thereof notwithstanding.

And be it further Enacted by the Authority aforesaid, That all and singular Manors, Lands, Tenements, Hereditaments, Rents, Reversions, Remainders, Uses and Trusts, which the said Theobald Dillon was at the Time of his Death Seized of, or Intitled unto, in Fee Simple, or Fee Tail, or for Life, or Lives, either in Law or Equity; and all Debts which have not heretofore been Bona Fide Paid or Discharged, and were then due to him, or which he was intitled unto; and likewise all other the Estate Real and Personal which the said Theobald Dillon died Seized or possessed of, Interested in, or Intitled unto; except such Sum or Sums of Money, as have been sute really and Bona Fide applied to the Payment of his Debts or Legacies; and except such part of his Personal Estate as hath been Bona Fide, and for a valuable Consideration sold; and also, all the Manors, Lands, Tenements, Hereditaments, Rents, Reversions, Remainders, Uses and Trusts, which the said Thomas Dillon and

Richard

Richard Ferral, or either of them, there, upon, or since the Sixth Day of March, in the Year One thousand seven hundred and fifty four, Seized of, or Intitled unto, in Fee Simple or Fee Tail, or for Life or Lives, either in Law or Equity; and also, all Debts which have not been heretofore Really and Bona Fide paid or Discharged, and were then Due to them, or either of them, or which they, or either of them, was or were Intitled to, as Partners with each other, or with any other Person or Persons, or otherwise; and likewise, all other the Estate, Real and Personal, of which they, the said Thomas Dillon, and Richard Ferral, or either of them, was or were Seized, possessed of, Interested in, or Intitled unto, on the said Sixth Day of March, One thousand seven hundred and fifty four, or since; except such Sum or Sums of Money, as have been Really and Bona Fide applyed to the payment of their or either of their Debts, or Expended in Suits, or other Business relative to the said Estates of the said Thomas Dillon, and Richard Ferral, or in the Costs and Expences of passing this Act, or in the necessary Charges of their Cloathing, Maintenance, and House-keeping; and also, except such part of their or either of their Personal Estate, as hath been Bona Fide, and for a valuable Consideration Sold, shall be, and are, from the Death of the said Theobald Dillon, as to his Estate

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Real and Personal, and from the said Sixth Day of March, One thousand seven hundred and fifty four, as to the said respective Estates, Real and Personal, of the said Thomas Dillon and Richard Ferral, hereby Vested, Adjudged and Declared to be Vested, in the actual Seizin and Possession of Joseph Green and James Taylor, of the City of Dublin, Esquires, Mathew Swiny and Richard Willson, of the said City, Gentlemen, being Assignees hereby Appointed for the Intents and Purposes herein Mentioned, their Heirs, Executors and Administrators, in such Manner as is herein after Mentioned (that is to say) the Estates Tail shall be Vested in them, in Fee Simple, and all other the Estates Real and Personal, shall be Vested in them, for such respective Estates, Rights, Titles and Interests, as they the said Theobald Dillon, Thomas Dillon and Richard Ferral, respectively, had, or were Intitled unto, at the respective Times before Mentioned.

And whereas the said Theobald Dillon was, and the said Thomas Dillon and Richard Ferral are, of the Popish Religion, and it hereafter may be doubted whether the Estates, Real and Personal, hereby Vested, or intended to be Vested, in the said Assignees, or some part of the same, may not be liable to Discovery upon the Acts of Parliament made in this Kingdom, to Prevent the further Growth of Popery, or some or one of them; For Remedy whereof, Be

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Be it Enacted by the Authority aforesaid, That all and every the Real and Personal Estates and Securities for Money, hereby Vested, or intended to be Vested, in the said Assignees, shall be and are hereby Vested in the said Assignees, absolutely Freed and Discharged from all Suit and Suits at Law or in Equity now Depending, or which may or shall at any Time hereafter be commenced by any Person or Persons as a Protestant Discoverer or Discoverers upon the Acts of Parliament made to prevent the further Growth of Popery, or any of them, now in Force in this Kingdom, for Recovery of the said Premisses or any Part of the same; Any Thing in the said Acts of Parliament, or any of them, contained to the contrary thereof, in any wise, notwithstanding.

And be it further Enacted by the Authority aforesaid, That the said Assignees, or any Two of them, shall be, and are hereby Authorized, to Sell and Dispose of the said Real and Personal Estates, or so much thereof as shall be necessary for the Purposes herein after mentioned, and to Call in, Sue for, Recover, or Compound the said Debts Due to the said Theobald Dillon, Thomas Dillon and Richard Ferral, or to any or either of them, in Trust, to apply the Money arising thereby to the Purposes herein after mentioned, and in such Course,

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Order, and Manner, as herein after is Directed (that is to say)

And be it for that Purpose Enacted by the Authority aforesaid, That the said Assignees, or any Two of them, shall, out of the said Estate, so Vested in them, Raise so much Money as will Satisfy the Costs, Charges and Expences of Passing this Act, and that all Disbursements attending the Execution thereof, and the Costs, Expences, and Disbursements, Paid, Laid out, or Made by the said Assignees, or any Two of them, in Suing for, Recovering, Receiving, or Defending the said respective Estates, shall be Raised by the said Assignees, or any Two of them, in Manner aforesaid, and that the said Costs, Expences, and Disbursements shall be in the First Place Paid and Deducted by the said Assignees, or any Two of them, out of the said respective Estates, in Manner aforesaid.

And be it further Enacted by the Authority aforesaid, That the Sum of Six-pence in the Pound for each and every Pound which shall arise out of or by any Means of the said Sale or Sales of Lands, or any other the Effects of the said Theobald Dillon, Thomas Dillon, and Richard Ferral, or either of them, so Vested in the said Assignees, by Virtue of this Act, over and above the Costs and Charges of obtaining the same,

same, and over and above all the said other Costs, Expences and Disbursements attending the Execution of this Act, and the Suing for, Recovering, Receiving, or Defending the said Estates, hereby Vested in the said Assignees, shall be paid, to such of the said Commissioners as shall act in the said Trusts, by the said Assignees; which Assignees, for their Care and Trouble in Executing the Trusts hereby Reposed in them, shall also be Allowed, and may Retain to their own Use, the Sum of Six-pence in the Pound for each and every Pound which they shall Receive by the Sale of any of the Effects of the said Theobald Dillon, Thomas Dillon and Richard Ferral, or any or either of them; so as nevertheless, no One of the said Commissioners or Assignees shall be paid or Intitled to more than the Sum of Two hundred Pounds in the Whole; Any Thing herein contained to the Contrary thereof, in any wise, notwithstanding.

And be it further Enacted by the Authority aforesaid, That the said Assignees, or any Two of them, after such Claims shall be Adjusted and Determined, shall apply so much of the Money Directed to be Raised, as aforesaid, as shall remain after the Payment of the said Costs, Charges, and Expences, of passing this Act, and all Disbursments attending the Execution of the same, and all the said Costs, Expences, and Disbursements attending the Suing for,

Recovering, Receiving, or Defending the said Estates, hereby vested in the said Assignees, and the said Sums allowed to the said Commissioners and Assignees, for their Care and Trouble, in Manner herein after Mentioned (that is to say) that the said Assignees, or any Two of them, shall, with the Money to be raised, as aforesaid, out of the said respective separate Estates, Real and Personal, of the said Theobald Dillon, Thomas Dillon, and Richard Ferral, pay the respective separate Debts, of the said Theobald Dillon, Thomas Dillon, and Richard Ferral, according to the Nature and Priority of such separate Debts; and in Case the said respective separate Estates shall not be sufficient for that Purpose, that then the said Assignees, or any Two of them, shall pay the Class of such separate Creditors, wherein such Deficiency shall begin Rateably, and in equal Proportions; and in Case the said separate Estates of the said Theobald Dillon, Thomas Dillon, and Richard Ferral, shall be more than sufficient to pay their respective separate Debts, then the said Assignees, or any Two of them, shall apply such Surplus of the Money arising out of the said respective separate Estates, together with the Money to be Raised and Received out of the said respective Bank, or Partnership Estates and Effects, to the Payment of the Bank Debts of the said Theobald Dillon, Thomas Dillon, and Richard Ferral, respectively, now remaining Due and Unpaid;

Unpaid; and in Caſe the aforeſaid Eſtates Real and Perſonal, hereby veſted, or intended to be veſted, in the ſaid Aſſignees, ſhall not be ſufficient to pay all the ſaid Bank Creditors, then the ſaid Aſſignees, or any Two of them, ſhall pay the Claſs of ſuch Bank Creditors, wherein ſuch Deficiency ſhall begin, rateably, and in equal Proportions.

And whereas by Deed indented, bearing Date the Thirtieth Day of April, One thouſand ſeven hundred and forty ſix, Made or Mentioned, to be Made, by and between the ſaid Thomas Dillon, by the Name and Deſcription of Thomas Dillon, of the City of Dublin, Merchant, acting Executor of Theobald Dillon, late of the City of Dublin, Merchant, Deceaſed, of the firſt Part, Thomas Warren, of Corduff, in the County of Dublin, Eſquire, of the Second Part, George Uſher, of the City of Dublin, Merchant, of the Third Part, and William Harward, of the City of Dublin, Eſquire, of the Fourth Part, the ſeveral Securities in the ſaid Deed, Mentioned, in Conſideration of the Sum of One Thouſand and Seventy Pounds, Eight Shillings, and Three Pence, therein Mentioned to have been Paid to the ſaid Thomas Dillon, by the ſaid William Harward, were Aſſigned to the ſaid William Harward; which ſaid Sum of One thouſand and ſeventy Pounds, Eight Shillings, and Three Pence, was ſecured to

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the said Thomas Dillon, by his, the said William Harward's Bond and Warrant, on which, Judgment was afterwards Obtained, in his Majesty's Court of Exchequer, in Ireland, as of Hillary Term, One thousand seven hundred and fifty three:

And whereas the said several Securities so Assigned to the said William Harward, were Assigned in Trust for the said Thomas Dillon;

Be it therefore further Enacted by the Authority aforesaid, That the said Securities, in the said Recited Deed particularly Mentioned, be, and the Same are hereby Vested in the said Commissioners, for the Benefit and Advantage of the Creditors of the said Thomas Dillon, Richard Ferral and Company; and that the said Thomas Dillon, his Executors, or Administrators, do forthwith Execute a Warrant to acknowledge Satisfaction, on the Record of the said Judgment, so Obtained against the said William Harward, and Deliver up the said Bond, to the said William Harward, to be Cancelled.

And for the more Easy and better Calling in Compounding or Recovering of all or any of the said Debts of the said Theobald Dillon, Thomas Dillon, and Richard Ferral; as also, for Obtaining or Recovering of the Possession of all or any of the said

Lands,

Lands, Tenements, Hereditaments, and Premisses, by this Act Vested in the said Assignees, or the Rents and Profits thereof;

Be it further Enacted by the Authority aforesaid, That the said Assignees, or any Two of them, may Call in, Compound, and Receive, or Sue for, and Recover all or any of the said Debts; and also, Take and Receive, or Sue for, and Recover the Possession of all or any of the said Lands, Tenements, Hereditaments, and Premisses, or the Rents and Profits thereof; and that all Suits, either at Law or in Equity, for that Purpose, may be Commenced and Prosecuted in the Name or Names of any person or persons to be Nominated for that Purpose, by the said Assignees, or any Two of them; and that all Proceedings in the Name or Names of such person or persons so to be Nominated, by Virtue of this Act, shall be Good and Effectual, to all Intents and Purposes, as if such Suits and Proceedings had been carried on in the Names of the said Assignees, or any Two of them; and that all and every other Act, Matter or Thing, which any Two of the said Assignees shall do, for or concerning the Recovery or Receipt of the said Debts, or any of them, or Concerning the Getting or Recovering the Possession of all or any of the said Lands, Tenements, Hereditaments, and Premisses,

or the Rents and Profits thereof, shall and are hereby Declared to be as Valid and Effectual in the Law, as if such Suit and Suits was or were in the Names of all the said Assignees, or the Survivors of them, and as if such Act, Matter, or Thing, had been done by all the said Assignees, or the Survivors of them; and that no Person or Persons who shall be Sued, either at Law, or in Equity, by the said Assignees, or any Two of them, or by any Person or Persons to be Appointed by them, to Sue, as aforesaid, by Virtue of all or any of the Powers given them by this Act, shall have any Priviledge, as Member or Members of either House of Parliament, save only, as to the Persons of such Members; any Thing herein before Contained, or any Law or Usage to the Contrary thereof, in any wise, notwithstanding.

And to the End that no Suit to be hereafter Commenced, by Virtue of this Act, shall be delayed by the Death of any Person to be appointed by the said Assignees, in manner aforesaid, for the Purpose of carrying on such Suits;

Be it Enacted by the Authority aforesaid, That in case any Person in whose name any Suit shall be hereafter Commenced, either at Law or in Equity, in pursuance of this Act, shall happen to Dye, pending such

such Suit, and before the same shall be finally Determined; then, and in every such Case, and from Time to Time, as often as the Case shall happen, it shall and may be Lawful to and for the said Assignees, or any Two of them, to Nominate and Appoint some other Person in the Room of such Person so Dying, which Person so to be Appointed, shall and may Proceed in, and carry on, such Suit, in the same manner, to all Intents and Purposes, as the Person so Dying, had he Lived, might have done, by Virtue of this Act.

And be it further Enacted by the Authority aforesaid, That each of them, the said Thomas Dillon and Richard Ferral, after the said Claims, shall be Adjusted and Determined, and after they the said Thomas Dillon and Richard Ferral, shall respectively have Obtained from the said Commissioners, or any Three or more of them, such Certificate of their Conformity as aforesaid, shall out of the net Produce of the said Estates of the said Theobald Dillon, Thomas Dillon, and Richard Ferral, whether Separate or in Partnership, which the said Assignees, shall by Virtue of this Act, raise or receive as a Fund for the Payment of the Bank and Partnership Debts of the said Thomas Dillon and Richard Ferral, over and above the said Costs, Charges, and Expentes of Passing this Act, and all Disbursements attending the Execution of the same, and over and above

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the said other Costs and Expences, of Suing for, Recovering or Defending the said Estates of the said Thomas Dillon and Richard Ferral, hereby Vested in the said Assignees, be allowed the Sum of five Pounds for each One hundred Pounds, of such net Produce, and the same shall be paid by the said Assignees, or any Two of them, unto the said Thomas Dillon and Richard Ferral, respectively, or to their respective Executors, or Administrators, in case such net Produce of the Estates of the said Theobald Dillon, Thomas Dillon and Richard Ferral, after all such Allowances made, shall be sufficient to pay the Bank and Partnership Creditors of the said Theobald Dillon, Thomas Dillon, and Richard Ferral, for the Sums to be adjudged to them upon their Claims, in pursuance of this Act, the Sum of Ten Shillings in the Pound, and so as the said Sum of five Pounds for each Hundred, shall not exceed in the whole the Sum of One thousand Pounds, to each of them the said Thomas Dillon and Richard Ferral.

And in case the said net Produce of the said Estates of the said Theobald Dillon, Thomas Dillon and Richard Ferral, shall, over and above the Allowance next herein after mentioned, be sufficient to pay the said Bank and Partnership Creditors of the said Theobald Dillon, Thomas Dillon and Richard Ferral, the Sum of Twelve Shillings and six pence in the Pound, for the Sums to be adjudged

adjudged to them, as aforesaid; that then, each of them, the said Thomas Dillon and Richard Ferral, shall be allowed the Sum of six pounds ten Shillings, for each hundred pounds, out of such net produce, to be paid as aforesaid, so as such Sum of six pounds ten Shillings for each hundred pounds, shall not in the whole exceed the Sum of One thousand two hundred and fifty pounds, to each of them, the said Thomas Dillon and Richard Ferral; and in case the said net produce of the said Estates of the said Theobald Dillon, Thomas Dillon, and Richard Ferral, shall, over and above the Allowance next herein after mentioned, be sufficient to pay the said Bank and Partnership Creditors of the said Theobald Dillon, Thomas Dillon, and Richard Ferral, the Sum of fifteen Shillings in the pound, for the Sums to be adjudged to them, as aforesaid; that then, each of them, the said Thomas Dillon and Richard Ferral, shall be allowed the Sum of Eight pounds for each hundred pounds, out of such net produce to be paid as aforesaid, by the said Assignees, or any Two of them, so as such Sum of Eight pounds for each hundred pounds, shall not exceed in the whole, the Sum of One thousand five hundred pounds, to each of them, the said Thomas Dillon and Richard Ferral.

And be it further Enacted by the Authority aforesaid, That the said Assignees, or

any Two of them, by Writing under their respective Hands and Seals, shall and may Nominate and Appoint, one or two Person or Persons, to Officiate under them during their Pleasure, in the Capacity of a Clerk or Book-keeper, who shall keep one or more Distinct Book or Books of Account, wherein he, or they, shall duly Enter all Sum and Sums of Money, which the said Assignees, or any Two of them, shall have got or received out of the said Effects, hereby Vested, or intended to be Vested, in the said Assignees, and all Sum and Sums of Money, which they, the said Assignees, or any Two of them, shall from Time to Time pay, Lay out, and Expend, in Execution of the Trusts hereby reposed in them; to which Book or Books of Account every Creditor, who shall upon his, or her Claim Obtain a Adjudication for any Sum of Money, out of any of the said Estates, hereby Vested in the said Assignees, and the said Thomas Dillon and Richard Ferral, and their respective Heirs, Executors, and Administrators, shall, at all seasonable Times, have free Resort, and shall Inspect the same as often as he, she, or they, shall think fit; and that the said Clerk or Clerks, Book-Keeper or Book-keepers, shall have for his or their Service or Services, such a Salary or Salaries Yearly, not exceeding the Yearly Rate of Eighty Pounds, as the said Assignees, or any Two of them, shall, by Writing under their respective Hands and Seals,

Seals, Direct and Appoint, and to be paid by the said Assignees, or any Two of them, out of the said Estates hereby Vested in them. CHAP. XXIII.

And be it further Enacted by the Authority aforesaid, That the said Assignees, shall be accountable only for what they shall respectively Receive, and not one of them for the Receipt of any other of the said Assignees, or for any Loss that may arise by means of their Depositing in any Known and Established Bank in the City of Dublin, any of the Money by them Received out of all, or any of the Estates hereby Vested, or intended to be Vested, in the said Assignees.

And whereas several of the Debtors of the said respective Banks have, since the Sixth Day of March, One thousand seven hundred and fifty four, Bought Notes of the said several Banks, for Sums considerably less than the Sums thereby payable, and have, to serve their Friends, taken Notes of the said respective Banks, with Intent to be allowed the Whole of the Sums, payable by such Notes, out of the Debts Due by them, to the said respective Banks, which would greatly lessen the Fund for the Payment of the Creditors of the said several Banks;

Be it Enacted by the Authority aforesaid, That the several Persons who are now

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Debtors of the said Banks, shall not have any Credit out of the Debts Due by them respectively, to the said several Banks, but for such of the Notes of the said Banks, as they respectively had in their Custody or Possession, and to their own Use, on the Sixth Day of March, One thousand seven hundred and fifty four, and that their having since Bought or got into their Possession any Notes of the said Banks, or any or either of them, shall not in any Sort Stop, Prevent or Delay the Payment of the several Debts so Due by them respectively, and that such Debtors shall be obliged to Pay the several Sums Due and Owing by them, respectively, to the said Banks, without any regard had to the Notes by them respectively Obtained or Gotten, since the said Sixth Day of March, One thousand seven hundred and fifty four, and that the Possession of such Notes shall Intitle them only to be considered as Creditors, at large, for the Contents thereof, upon the General Fund, for the Payment of the Debts of the said several Banks, and to be Paid in Proportion only with the other Creditors of the said several Banks.

And whereas several of the Creditors of the said Thomas Dillon and Richard Ferral, have since the said Sixth Day of March, One thousand seven hundred and fifty four, Received Part of the Debts then Due to them respectively; Be

Be it Enacted by the Authority aforesaid, That all the Bank Creditors of the said Thomas Dillon and Richard Ferral, as shall such as became Creditors since the Sixth Day of March, One thousand seven hundred and fifty four, as those who were Creditors before the said Sixth Day of March, shall be paid by the said Assignees, so much as shall make the Payments to be made to them respectively, equal to the Payments which have been Made to any of the Creditors, who have, since the said Sixth Day of March, Received any part of the Money that was Due to them, upon the said Day, before such Creditors so paid in part, since the said Sixth Day of March, shall receive any more.

And whereas several of the Debts Due to the said Bank, at the Time of the Stoppage of Payment by the said Thomas Dillon and Richard Ferral, on the said Sixth Day of March, One thousand seven hundred and fifty four, may, by the lapse of Time since, have been Barred by the Statutes of Limitation, made in this Kingdom, for the Barring of Suits and Demands, or some or One of them:

And whereas the Execution of this Act may take longer Time than at Present is Foreseen, and that the Commencing of Suits, to prevent the Statutes of Limi-

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tation from Barring the Recovery of Debts Due to the said Bank and Bankers, respectively, may be attended with great Expence;

Be it Enacted by the Authority aforesaid, That the said Assignees, or any Two of them, or any Person or Persons Appointed or to be Appointed by any Two of them, for that Purpose, shall and may at all Times, while the said Debts, or any of them, remain Vested in the said Assignees, by this Act, be at Liberty to Sue for and Recover the Debts so Due, Pursuant to the Directions, and according to the Powers hereby given, and shall and may, notwithstanding any Statute or Statutes of Limitation heretofore Made, or any Law Statute or Usage to the Contrary, Sue for, and Recover the said Debts so Due, and every of them, and that no Statute or Statutes of Limitation shall be pleaded or Relied on, or any Way made Use of, or be of any Force or Effect in any Court of Law or Equity, to Barr or in any Sort Affect the said Debts, or any of them, while the same, or any of them, remain in the said Assignees, or any of them, by Virtue of this Act.

And be it Enacted by the Authority aforesaid, That no part of the Time during which the said Debts, or any of them, shall remain vested in the Assignees, or any

of

of them, by Virtue of this Act, shall be esteemed, or accounted any part of the Time within which the Person or Persons, respectively, who is, or are, or shall be intitled to the said Debts, or any of them, after the full Execution of this Act, or ought by any Statute or Statutes of Limitation whatsoever, to bring his, her, or their Action or Actions, Suit or Suits, for Recovery of any such Debt or Debts, as aforesaid; but that such Person or Persons, respectively, shall have Allowance of all such Time as hath hitherto, since the said Sixth Day of March, One thousand seven hundred and fifty four, and shall hereafter incur, while the said Debts, or any of them, remain vested in the said Assignees, by Virtue of this Act; and shall and may within any Time, within two Years after the full Execution of this Act, be at Liberty to bring his, her, or their Action or Actions, Suit or Suits, for Recovery of all, or any of the said Debts, so done and vested in the said Assignees by this Act; the Statutes of Limitation of Actions, or any Law, Statute, or Usage, to the Contrary notwithstanding.

Provided allways, And be it Enacted by the Authority aforesaid, That nothing in this Act contained, shall be extended, or be construed to extend, to Bar, Hinder, or Prevent any Person whatsoever from having such Benefit and Advantage of and

from the Statutes of Limitations, or any of them, as such Person had, or might have had, on the said Sixth Day of March, One thousand seven hundred and fifty four, as to the Debts due to the said Bank and Bankers, respectively, in as ample and beneficial Manner, as if this Act had never been made.

And be it further Enacted by the Authority aforesaid, That if there shall be any Overplus of the Money arising by the the Sale or Produce of the several Real and Personal Estates, vested in the said Assignees, as aforesaid, after the Performance of all the Trusts of this Act, such Overplus shall be applied by the said Assignees, in the first Place, to Indemnify the said Richard Ferral, his Heirs, Executors, and Administrators, from all Losses, Demands, Charges, and Costs occasioned, or to be occasioned, for or on Account of carrying on the said Bankers Business, pursuant to the Articles of Partnership, executed and made by and between the said Thomas Dillon and Richard Ferral, and the Residue of such Overplus, if any there shall be, shall go, belong and be applied to and for the Use and Benefit of such Person or Persons, as would have been Intitled to the same, if this Act had never been made.

And

And whereas it may be Expedient for the more speedy and easy Execution of this Act, and for the Ease and Quiet of the said Assignees, that the said Assignees should from Time to Time, Account before the said Commissioners, for the Sums by them received, under and by Virtue of this Act, out of the Estates of the said Theobald Dillon, Thomas Dillon, and Richard Ferral, respectively; and also, have Allowance for the Sums by them, from Time to Time, disbursed and paid, pursuant to the Directions of this Act;

Be it Enacted by the Authority aforesaid, that the said Commissioners, or any Three or more of them, may from Time to Time Order and Direct the said Assignees to Account; and, that the said Assignees, or any Two of them, shall, within Sixty Days after the Service of such Order, return in Writing to the said Commissioners, or any Three or more of them, or to the said Register or Registers, a fair and just Account of all the Sums received by them, or any of them, out of the said Estates hereby vested in the said Assignees, and of the Payments and Disbursements by them, or any Two of them, made in pursuance of this Act; and that the said Commissioners, or any Three or more of them, do and shall, immediately after such Account shall be so returned, give Notice

by Advertisement, to be published four Times, successively, at least, in the Dublin Gazette, of such Accounts having been returned, and of the Time when the said Commissioners, or any Three or more of them, intend first to go upon the Examination of the said Accounts; and that such Notice shall be first published, as aforesaid, Fourteen Days, at least, before the Day appointed for first entring upon the Examination of the said Accounts; and that it shall and may be lawful to and for the said Assignees, or any Two of them, as often as they, or any Two of them, shall think fit, to make up and deliver to the said Commissioners, or any Three or more of them, or their said Register, or Registers, a just and fair Account of all the Sums by the said Assignees, or any Two of them, received out of the Estates hereby vested in them; and of the Payments and Disbursements by them, or any Two of them, made in pursuance of this Act; and that the said Assignees, or any Two of them, do and shall, immediately after such Accounts shall be returned, as aforesaid, give Notice by Advertisement to be published in the Dublin Gazette four Times successively, at least, of such Accounts having been returned, and of their Intention to have the same Examined and Settled by the said Commissioners, or any Three or more of them; and that the said Commissioners, or any Three or more of them, do and shall, at the Request

queſt of the ſaid Aſſignees, or any Two of them, at any Time within Thirty Days, and not leſs than fourteen Days, after the firſt publiſhing of ſuch Advertiſement as aforeſaid, by the ſaid Aſſignees, or any Two of them, appoint a Time for their firſt Entering upon the Examination of the ſaid Accounts, and do and ſhall ten Days at leaſt, before the Time ſo appointed, give Notice by Advertiſement to be publiſhed in the Dublin Gazette, of the Time appointed by them, for their firſt Entering upon the Examination of the ſaid Accounts, and that ſuch Advertiſement, ſhall be publiſhed three Times ſucceſſively, in ſuch News Paper; which ſaid Accounts the ſaid Commiſſioners, or any Three or more of them, are hereby Impowered and Required to Receive, and to Examine and Determine in a Summary Way, within three Kalendar Months after the Time appointed by them, or any Three or more of them, for their firſt Entering upon the Examination of the ſaid Accounts; And that the ſaid Commiſſioners, or any Three or more of them, do and ſhall, in Stating and Settleing ſuch Accounts, give Credit to the ſaid Aſſignees, for all Sums by them, or any Two of them, paid or Diſburſed in purſuance of this Act; And that the ſaid Commiſſioners, or any Three or more of them, ſhall and may Examine upon Oath, or being of the People called Quakers, upon Solemn Affirmation, all and every ſuch Wit-

nels and Witnesses as shall be Produced before them, touching the said Accounts returned by the said Assignees, or any Two of them, and, at the Request of any of the Parties concerned, may, by Writing under the Hands of the said Commissioners, or any Three or more of them, Order any Witnels or Witnesses, to appear and give their Testimony before them, and shall and may likewise Examine upon Oath, or being of the People called Quakers, upon Solemn Affirmation, all and every the said Assignees, concerning the Truth of the said Accounts, or any other Matter relating thereunto; And that the said Commissioners, or any Three or more of them, shall and may take any Affidavits, and Administer Oaths to that Purpose, and touching and concerning the Service of their Orders, Notices and Summonses.

Provided allways, And be it further Enacted by the Authority aforesaid, That if the said Assignees, or any of them, or the said Thomas Dillon and Richard Ferral, or either of them, or the Heirs, Executors or Administrators of either of them, or any other Person or Persons, shall think him, her or themselves Aggrieved by any Judgment or Determination of the said Commissioners, or any Three or more of them, concerning the said Accounts, returned by the said Assignees, or any Two of them, as aforesaid, it shall and may be lawful

to

to and for such Person or Persons, by Petition to the Lord Chancellor, Lord Keeper, or Commissioners for hearing Causes in the High Court of Chancery, of this Kingdom, for the Time being, at any Time within the Space of Thirty Days after such Judgment or Determination pronounced, to Appeal from such Judgment or Determination, which said Lord Chancellor, Lord Keeper, or Commissioners, for hearing Causes in the said Court of Chancery, shall Examine, Hear, and Determine the same in a Summary Way, within three Kalendar Months after the preferring such Petition of Appeal; and shall and may, in Case such Appeal shall appear to be Frivolous or Vexatious, Order, and Decree such Costs, as in his or their Discretion shall seem Reasonable, to the Person or Persons aggrieved by such Frivolous or Vexations Appeal; and the Judgment or Decreee of such Lord Chancellor, Lord Keeper or Commissioners for hearing Causes in the High Court of Chancery, as aforesaid; and also, the Judgment or Determination of the said Commissioners, appointed by this Act, or any Three or more of them, if not Reversed by the said Lord Chancellor, Lord Keeper, or Commissioners, for hearing Causes, in the said Court of Chancery, shall be Final and Conclusive to all Persons Concerned; and where such Costs shall be Ordered or Decreed, such and the like Process shall Issue for the Recovery thereof, against

the Person or Persons against whom such Costs shall be Ordered or Decreed, as Issue for Recovery of Costs under Decrees made in the said High Court of Chancery.

And be it further Enacted by the Authority aforesaid, That the said Thomas Dillon and Richard Ferral, and the Heirs, Executors, and Administrators of each of them, and every Creditor, who shall upon his or her Claim, Obtain an Adjudication for any Sum of Money, out of any of the said Estates hereby Vested in the said Assignees, shall, at all reasonable Times, have free Resort to the said Accounts, so returned to the said Commissioners, or any Three or more of them, or to their said Register or Registers, by the said Assignees, or any Two of them, and shall inspect the same as often as he, she or they shall think fit, and may at their own Expence take Copies thereof.

And be it further Enacted by the Authority aforesaid, That after the said Claims, of the said Creditors, shall be Finally Settled and Adjusted, the said Commissioners, or any Three or more of them, may, from Time to Time, by Writing under their respective Hands, Order and Direct the said Assignees, or any Two of them, to make a rateable Distribution of the Money by them raised and Received out of the said respective Estates of the said Theobald Dillon, Thomas Dillon

Dillon and Richard Ferral, amongst the said Creditors, in Proportion to the Sums adjudged to them, respectively, according to the Directions herein mentioned; And that the said Assignees, or any Two of them, do and shall with all convenient Speed, after such Order shall be Served on them, Distribute, according to the Direction aforesaid, the Money Raised and Received by the said Assignees, or any Two of them, by Virtue of this Act, out of the said Estates of the said Theobald Dillon, Thomas Dillon, and Richard Ferral, which, at the Time of such Order made, shall be in their Hands; except so much thereof, as in pursuance of the Powers and Directions herein before Given and Expressed, shall be necessary for the carrying into Execution the Trusts hereby reposed in the said Assignees.

And be it further Enacted by the Authority aforesaid, That no Outlawry, already or hereafter to be obtained, in any personal Action against the said Thomas Dillon and Richard Ferral, or either of them, shall in any Sort Stop, Hinder, or Delay the Recovery of any Debt or Debts hereby vested, or intended to be vested, in the said Assignees; and that no Outlawry obtained in any personal Action against the said Thomas Dillon and Richard Ferral, or either of them, since the said Sixth Day of March, in the Year One thousand seven hundred and fifty four, or any Thing done in Con-

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sequente thereof, shall in any Sort prejudice or Affect the Estate or Estates of the said Thomas Dillon and Richard Ferral, or either of them, hereby vested, or intended to be vested, in the said Assignees; nor shall such Outlawries, or any Process thereupon, or any Thing done in Consequence thereof, in any Sort Affect the Persons of the said Thomas Dillon and Richard Ferral, or either of them.

And be it further Enacted by the Authority aforesaid, That in Case any of the said Commissioners or Assignees named in this Act, or who shall be hereafter appointed in the Manner herein after mentioned, shall refuse to act in the Execution of the said Trusts, or shall happen to die, or leave this Kingdom before the said Trusts shall be fully Executed; then, and in every of those Cases, and from Time to Time, as often as the same shall happen, it shall and may be lawful for the then acting Commissioners under this Act, or any Three or more of them, to nominate and appoint in the Room and Stead of such Commissioner or Assignee, who shall so happen to Die, or shall refuse to act, or shall leave this Kingdom, such other Person as they shall think fit, which Person so to be appointed Commissioner or Assignee, as the Case shall be, shall, upon such his Appointment, be vested with all such Interests, Trusts, Powers, and Authorities, as are hereby given to, and respectively vested in, the said several

ral Commissioners and Assignees named in this Act, in as full a Manner, to all Intents and Purposes, as if such Person, so to be nominated and appointed, had been expressly named a Commissioner or Assignee in and by this Act, for the carrying the Trusts thereof into Execution, and not otherwise.

Saving unto Letitia Ferral, Wife of the said Richard Ferral, and to her Issue, by the said Richard, all such Right, Title, and Interest, as she and her Issue by the said Richard Ferral now have, or can or may Claim to have, or be Intitled unto, by Virtue of, and under certain Articles of Marriage, bearing Date the Twentieth Day of April, One thousand seven hundred and fifty one, and Made and Executed, previous to the Inter-Marriage of the said Letitia, with the said Richard Ferral, as fully to all Intents and Purposes, as if this Act had never been Made.

Saving allways to the King's most Excellent Majesty, and to all Bodies Politick and Corporate, and to all and every Person and Persons; except the said Theobald Dillon, Thomas Dillon and Richard Ferral, and all Persons deriving under them, or any or either of them; and also, except the Creditors of the said Theobald Dillon, Thomas Dillon and Richard Ferral, or any or either of them, their, or any of their Heirs,

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Executors, Administrators and Assignees; and except such Person and Persons as Claim or may Claim to be Intitled to all or any Part of the Premisses hereby Vested, or intended to be Vested, in the said Assignees, by Virtue of the said Acts of Parliament, to prevent the further growth of Popery, as a Protestant Discoverer or Discoverers, all such Right, Title, or Interest, both in Law and Equity, as they, or any of them, might have had, in Case this Act had never been made.

And be it Enacted by the Authority aforesaid, That this Act, and all and every Clause and Clauses therein contained, and every Part thereof, shall be Deemed and taken Notice of in all Courts of Law and Equity in this Kingdom, as a Publick Act of Parliament.

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ACT

TO

Make it Lawful for His Majeſty's Proteſtant Diſſenting Subjects of this Kingdom, to Accept of, and Hold Commiſſions in the Militia; And to Act in the Commiſſion of Array.

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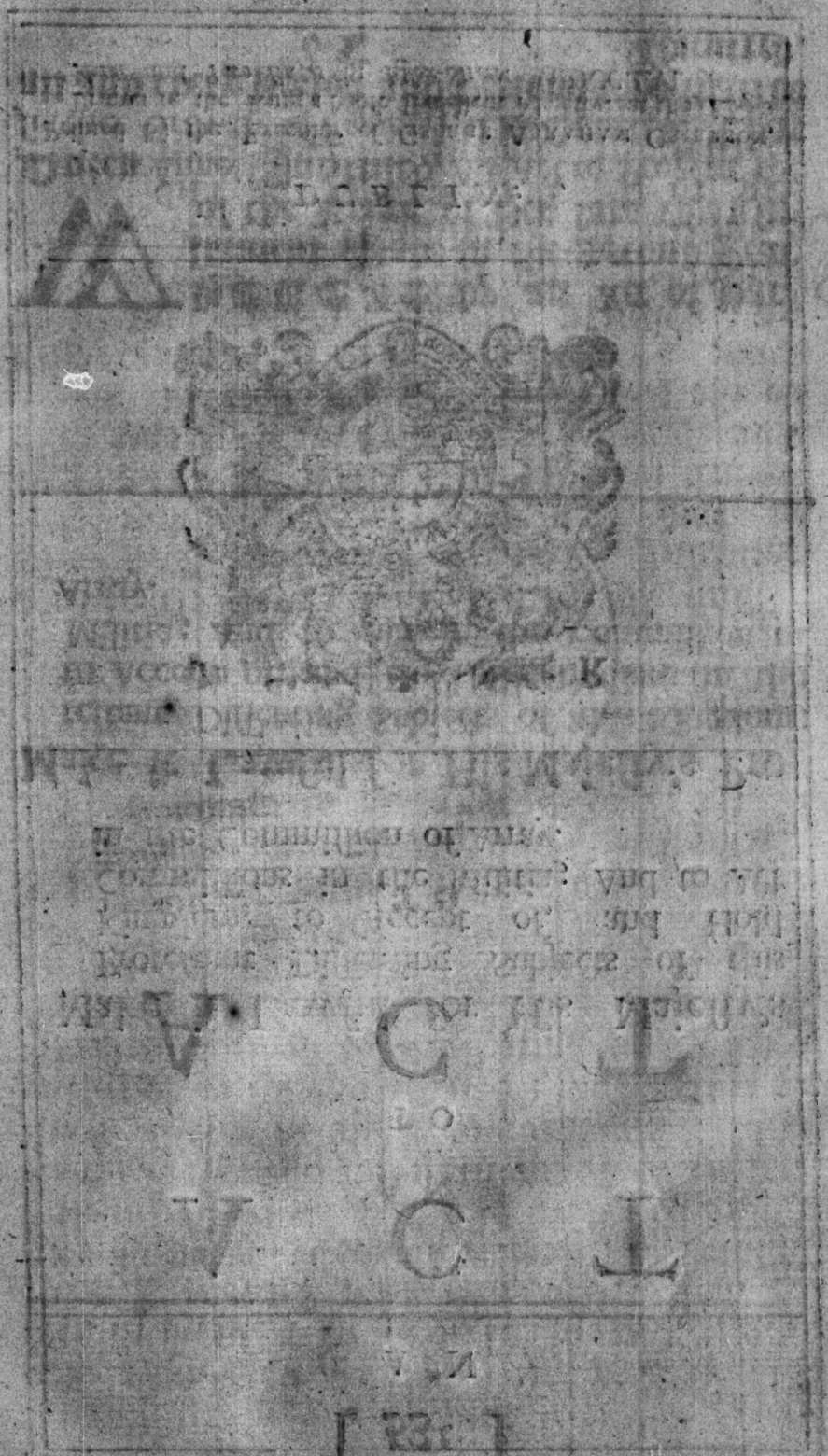

AN ACT TO

Make it Lawful for His Majesty's Protestant Dissenting Subjects of this Kingdom, to Accept of, and Hold Commissions in the Militia; And to Act in the Commission of Array.

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WHEREAS by an Act of Parliament Made in the Second Year of the Reign of Her late Majesty Queen Anne, [Intituled, An Act to Prevent the further Growth of *Popery*;] it is Enacted, That all and every Person and Persons who shall be

Admitted, Entered, Placed, or Taken into any Office or Offices Civil or Military, or shall receive any Pay, Salary, Fee, or Wages, belonging to, or by reason of, any Office or Place of Trust, by reason of any Patent, or Grant from Her Majesty, or shall have Command, or Place of Trust from or under Her Majesty, or any of Her Predecessors or Successors, or by Her or Their Authority, or by Authority Derived from Her, or Them, within this Realm of Ireland, shall Take and Subscribe the Oaths, and Make and Subscribe the Declaration, and receive the Sacrament of the Lord's Supper, according to the Directions of the said Act of Parliament, under certain great Pains and Penalties, therein mentioned:

And whereas several of His Majesty's Faithful Subjects, Protestant Dissenters in this Kingdom, have heretofore Performed most Useful Service to His Present Majesty, and His Royal Father, and to the Protestant Interest of this Kingdom, as Commissioners of Array, and as Officers of the Militia of this Kingdom, and may have Neglected or Omitted to Qualify themselves, according to the Directions of the said Act of Parliament, and may have thereby Incurred great Penalties:

And

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And whereas it may be Useful and Necessary to enable His Majesty's said Subjects to Act as Commissioners of Array, and as Officers of the Militia in this Kingdom, under the Qualifications herein after Mentioned;

Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That all and every Protestant Dissenter and Dissenters, who by Acting as Commissioner or Commissioners of Array, or Officer or Officers of the Militia of this Kingdom, hath or have Incurred any Penalty, or Penalties, or Incapacities, in the said Act, [Intituled, An Act to prevent the further Growth of Popery;] mentioned by neglecting or omitting to Qualify himself, or themselves, according to the said Act, shall be, and are hereby Indemnified, Freed and Discharged of, and from all Incapacities, Disabilities, Forfeitures and Penalties, incurred, by Reason of such Omission or Neglect, as aforesaid, and that no Act or Acts done by them, or any of them, and not yet avoided, shall be Questioned or Avoided, by reason of such Neglect or Omission; but all such Acts shall be, and are hereby Declared and Enacted to be, as good

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and effectual, as if all and every such Person and Persons had Taken and Subscribed the said Oaths, and Received the said Sacrament, and Made and Subscribed the said Declaration, in Manner as aforesaid; any Thing in the said Act to the Contrary notwithstanding.

And in Order to make the Militia of this Kingdom more useful, and to Strengthen the Protestant Interest;

Be it Enacted by the Authority aforesaid, That it shall and may be lawful, at all Times hereafter, to and for all and every Protestant Dissenter and Dissenters, who shall be duly Appointed by the King's Most Excellent Majesty, His Heirs or Successors, or by the Chief Governor or Governors of this Kingdom, to act and be Commissioner or Commissioners of Array for the several and respective Counties, Cities and Places of this Kingdom of Ireland; and also, to Act and be Officer and Officers in the Militia of this Kingdom, without Qualifying himself or themselves, according to the Directions of the said Act, To prevent the further Growth of Popery.

Provided such Protestant Dissenter or Dissenters, to be hereafter appointed to the said Office or Offices, as aforesaid, do

do and shall Take and Subscribe the said Oaths, and Make, Repeat, and Subscribe the said Declaration, in such Manner and Form, and in such place and places, and at such Time and Times as are Directed and Appointed by the said Act of Parliament, Intituled, An Act to Prevent the further Growth of Popery. CHAP. XXIII.

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